

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990 (as amended) Discharge of Conditions

DoC Decision Notice Split Decision - Discharge of Conditions

C/o Miss Amy Harrison
Boyer Planning
1A Cedars Office Park, Butt Lane
Normanton
Loughborough
LE12 5EE

Details of Application:

Application Ref: 23/00338/DISCON

Proposal: Application to discharge Conditions 37 (Arboricultural Method Statement), 38 (Levels), 39 (Construction Environmental Management Plan), 41 (Contamination), 44 (Archaeology), 45 (Odour Management Plan), 48 (Parking), 50 (Drainage) of the FULL planning permission secured under Appeal Decision APP/K2420/W/21/3279939 (21/00531/HYB)

Location: Wood Farm Stanton Lane Stanton Under Bardon

The details submitted have been considered by the Local Planning Authority and have either been **DISCHARGED** or **PARTIALLY DISCHARGED** these are categorised below:

PARTIALLY DISCHARGED CONDITIONS

The details submitted to support the following conditions are acceptable to the Local Planning Authority to allow the condition(s) to be **PARTIALLY DISCHARGED** for commencement purposes.

Condition 41

No development, including any works of site clearance and preparation, shall be carried out unless and until a scheme for the investigation of any potential land contamination, including details of how any contamination is to be dealt with, has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme. Any necessary remediation works shall be completed in accordance with the approved details prior to first use of that part of the site for the intended purpose. If any previously unidentified contamination is found during the course of development, development on the affected part of the site shall be suspended until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the local planning authority, which shall include details of how the unsuspected contamination is to be dealt with. Any remediation works so approved shall be carried out in accordance with the agreed implementation period before development on that part of the site is resumed or continued.

C41 Contaminated Land Report Received 5 April 2023

Condition 44

No development shall commence, including works of demolition and site clearance/ground preparation unless and until a staged programme of archaeological work (to include Historic Building Survey and below-ground investigation, commencing with an initial phase of trial

trenching) has been undertaken. Each stage is to be completed in accordance with a written scheme of investigation (WSI) which shall previously have been submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include an assessment of significance and research objectives, together with:

- the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works; and,
- a programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C44 Specification for Archaeological Evaluation – Received 5 April 2023

DISCHARGED CONDITIONS

The details submitted with the following conditions are acceptable to the Local Planning Authority and the condition(s) are hereby **DISCHARGED** subject to the scheme being carried out strictly in accordance with the approved details.

Condition 37

Prior to commencement of development on the site, including site works of any description, a Tree Protection Plan (based on the draft Plan No 387/20/03/19-2000v2 which forms part of the Lockhart Garratt Arboricultural Impact Assessment dated March 2021 (Ref:19-2138)) shall be submitted to and approved in writing by the local planning authority. The Plan shall be prepared by a suitably qualified arboriculturist and shall include protective barriers to form a secure construction exclusion zone and root protection area around those trees in accordance with British Standard 5837:2012 Trees in relation to design. Any trenches for services that are required within the fenced-off areas shall be excavated and back-filled by hand and any tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left un-severed. Development is to be carried out in accordance with the approved scheme.

Received 5 June 2023

C37 AMS V3 M050623 22-1889 New Farm Site

Condition 38

Prior to the commencement of development, including any works of site clearance and preparation, full details of finished ground and floor levels (above ordnance datum) of all the proposed buildings in relation to the

existing ground levels. The details shall be provided in the form of site plans showing sections across the site at regular intervals. Development shall be carried out in accordance with the approved details.

Received 14 August 2023

C38 Levels Rev A

C38 Site Sections

Condition 39

No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved CEMP which shall remain in force for the construction period. The CEMP shall include, but is not confined to: i) site management arrangements including: on-site storage of materials, plant and machinery; temporary offices, contractors compounds and other facilities; on-site parking and turning provision for site operatives, staff, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;

ii) measures to control and monitor the emission of dust, dirt, noise, odour and smoke, including procedures for complaint investigation;

iii) a method statement for the prevention of contamination of soil and groundwater, including the storage of fuel and chemicals;

iv) measures to control surface water run-off during construction, including any temporary attenuation and controls and a scheme to treat and remove suspended solids;

i) arrangements for controlling the use of site lighting, whether for safe working or for security purposes, and hours of operation;

ii) measures to prevent the deposit of mud and debris on the adjacent highway, including wheel washing facilities; and,

iii) a construction waste management plan that identifies the main waste materials expected to be generated by the development during construction, together with measures for dealing with such materials so as to minimise waste and to maximise re-use and recycling.

Received 8 August 2023

C39 Construction Traffic / site Traffic Management Plan Rev 1.1 July 2023

Received 23 August 2023

C39 CEMP Rev August 2023

Condition 45

Development shall not commence until an odour management plan for protecting existing dwellings from odour from the proposed development has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved odour management plan and all measures integrated shall be operational as long as the development is operational.

C45 Odour Management Plan – Received 5 April 2023

Condition 48

Neither of the farm workers' dwellings hereby permitted shall be occupied unless and until two parking spaces for House No One and three parking spaces for House No Two have been provided in accordance with details that shall previously have been submitted to and approved in writing by the local planning authority. The parking spaces shall be retained thereafter for their intended purpose.

C48 Parking Plan House 1 & 2 – Received 5 April 2023

Condition 50

Other than site enabling, and clearance works, no development shall take place unless and until details of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be implemented and thereafter managed in accordance with the approved details and timetable. The details to be submitted shall: i) provide information about the design storm period and intensity and the method employed to delay and control the surface water discharged from the site, designed for the 100-year event plus 40% climate change allowance, with discharge rates to the existing outfall limited to 12.8 l/s up to the 100 year event, and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii) provide, a management and maintenance plan for the lifetime of the development, which shall include provision for routine maintenance, remedial actions and monitoring of the separate elements of the system, including procedures that must be implemented in the event

— of pollution incidents within the development site, as well as the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime; and,

— iii) include a timetable for implementation for all elements of the approved scheme.

Received 17 July 2021

C50 Pond Section (Amended Plan)

C50 Pond Plan (Amended)

Received 18 May 2023

**C50 Drainage Layout 012A
C50 Drainage Areas Plan DAP
C50 Access Road & Sewer Sections 21.32.020**

**Received 5 April 2023
C50 SuDS Maintenance
C50 Private Drainage Details
C50 Drainage Calculations
C50 Purus Treatment & Rainwater Detail
C50 Sewer & Farm Sections**

Important Notes.

Conditions 41 & 44 have been PARTIALLY DISCHARGED for commencement purposes.

Condition 41 - If land contamination is found during construction a report as to the findings and remediation strategy should be submitted immediately for approval to partially discharge the condition.

To fully discharge Condition 41, a final report is to be submitted to confirm that no further land contamination was found and or verification / validation is required for the remediation works if further contamination was found.

Condition 44 – Once investigations have been completed in accordance with the approved WSI, then a final report will be required to be submitted and approved to fully discharge this condition.

A new application and fee will be required to any submitted application.

Where conditions have been DISCHARGED or PARTIALLY DISCHARGED, the schemes must be fully implemented and maintained in accordance with the approved details.



**Christopher Brown MRTPI
Head of Planning**

Date: 24 August 2023