

**Substantive response of the Local Highway
Authority to a planning consultation received
under The Development Management Order.**

Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 23/00338/DISCON

Highway Reference Number: 2023/0338/04/HDis39,48/R1

Application Address: Wood Farm Stanton Lane Ellistown Coalville Leicestershire LE67 1FF

Application Type: Discharge of Condition

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

GENERAL DETAILS

Planning Case Officer: Lesley Keal

Applicant: M T Baines and Sons

County Councillor: Cllr Peter Bedford

Parish: Stanton-under-Bardon

Road Classification: Adopted Unclassified

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

Objection

Objection to Discharge of Condition 39.

No comments

Conditions 37, 38, 41, 44, 45 and 50 were not advised by the Local Highway Authority (LHA) who therefore have no comments to make on these details.

Other response

Through the response issued 3 May 2023 the LHA advised no objection to the Discharge of Condition 48.

Background

The LHA are in receipt of the re-consultation of application 23/00338/DISCON for the discharge of Conditions 37, 38, 39, 41, 44, 45, 48 and 50 secured under Appeal Decision APP/K2420/W/21/3279939 (21/00531/HYB).

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.*

Highways Comments:

The LHA have reviewed drawing No. CEMP Rev. A and document No. 21-36-CEMP (June 2023 Revision) created by Conway Development Consultants Ltd.

The Applicant has advised that the access approved under application reference 21/00531/HYB will be utilised during the construction phase and not the existing field access to the east of the site as previously proposed.

The LHA note that drawing No. CEMP Rev. A shows that to access and egress the site vehicles will be required to pass through the interception ditch located across the front of the access that is designed to capture surface water runoff.

The LHA question the practicality of this aspect of the proposal. In addition to travelling through the ditch it appears that vehicles leaving the site will undergo the wheel washing process and then

travel through a ditch containing suspended solids. The LHA also query what measures would be put in place to ensure that the site remains accessible during periods of inclement weather.

At present, the LHA object to the discharge of Condition 39 secured under Appeal Decision APP/K2420/W/21/3279939 (21/00531/HYB).

Date Received
13 June 2023

Case Officer
Simon Herbert

Reviewer
BD

Date issued
27 June 2023