

Hinckley & Bosworth Borough Council

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

DoC Decision Notice Split Decision - Discharge of Conditions

Avant Homes Midlands
1 Phoenix Place
Phoenix Centre
Nottingham
NG8 6BA

Details of Application:

Application Ref: 24/00874/DISCON

Proposal: Application to discharge conditions 4 (Land Contamination), 8 (Sustainable Water Drainage), 9 (Surface Water Management), 10 (Surface Water Maintenance), and 11 (Infiltration Testing) from Appeal Decision AAP/K2420/W/23/3321670 relating to application 22/00192/OUT

Location: Land Opposite Spring Acre Lychgate Lane Burbage

The details submitted have been considered by the Local Planning Authority and have either been **DISCHARGED OR REMAIN UN-DISCHARGED**, these are categorised below:

UN-DISCHARGED CONDITIONS

The details submitted with the following conditions are unacceptable to the Local Planning Authority and the conditions 9 & 10 remain **UN-DISCHARGED**.

Condition 9.

Prior to commencement of development details in relation to the management of surface water on site during construction of the development shall be submitted to and approved in writing by the Local Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance, and protection. Details regarding the protection of any proposed infiltration areas should also be provided. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Received 4 November 2024

C9 Chestnut Acres Burbage Pre Tender H & S (Management of Surface Water Drainage during Construction)

Condition 10.

Prior to commencement of development details in relation to the long-term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority.

Details of the SuDS Maintenance Plan shall include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site. Development shall be carried out in accordance with the approved details, be fully implemented prior to the first occupation of the development hereby permitted and shall be retained thereafter.

Received 7 November 2024
C10 SUDS Maintenance Sep 2024

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.

Conditionb 4

a). Notwithstanding the recommendations within the Phase 1 Geo- Environmental desk study carried out by Rodgers Leask Environmental dated the 30 September 2020 (Ref: 20291-RLE-20-XX-RP-O-0001) no development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with.

b). The approved scheme shall be implemented in accordance with the agreed details, and any remediation works so approved shall be carried out prior to the site first being occupied.

Received 20 September 2024
C4 Gas Addendum Letter Report P20481 Mar 2024 ISSUE

Received 16 September 2024
C4, C11 Lychgate Lane Burbage Leicestershire Phase II Site Appraisal Report Jan 2024 P10481

Condition 8

No development shall commence until a scheme to provide a sustainable surface water drainage system in accordance with the Flood Risk Assessment dated January and June 2022 has been submitted to and approved in writing by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed and shall be retained thereafter.

Received 26 February 2025
C8 Site Layout 3204-100-01 Rev D (Full extent of Permeable Paving)

Received 26 February 2025
C8 E323-70-01E Section 104 Plan -A1

Received 6 January 2025
C8 File Uploaded Indexed Actions Storm V10 FEH Split Tank - 100YR +40CC

Received 24 October 2024

C8, C9 & C10 BBA Attenuation Tank and Fabrication Product Sheet 2

C8, C9 & C10 E323-40-04B Control Chamber S20-A1

C8, C9 & C10 Typical Storage Crate Detail

C8, C9 & C10 STORM V10 FSR SPLIT TANK - 1 2 30YR

C8, C9 & C10 W-0469-20-Park House Farm, Grimsargh REV A (detailed pipe systems)

C8, C9 & C10 BBA 1000mm - 3500mm Product Sheet 1

C8, C9 & C10 STORM V10 FSR SPLIT TANK - 100YR +40CC

C8, C9 & C10 E323-40-30 Permeable Block Paving Construction Details

C8, C9 & C10 E323-10-50 OVERLAND FLOOD ROUTING PLAN-A

Received 16 September 2024

C8 Drainage Area Plan - Storm-A E323-10-30B

C8 Drainage Area Plan - Foul E323-10-35B

C8 Drainage Area Plan - Gully E323-10-40B

C8 External Works and Private Drainage E323-90-01 C

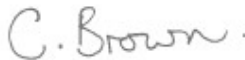
C8 External Works and Private Drainage E323-90-02 C

Condition 11

No development approved by this planning permission shall take place until such time as infiltration testing has been carried out (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element, has been submitted to and approved in writing by the Local Planning Authority.

Received 16 September 2024

C4, C11 Lychgate Lane Burbage Leicestershire Phase II Site Appraisal Report Jan 2024 P10481



Christopher Brown MRTPI

Head of Planning

Date: 9 June 2025

Note to Applicant

A new application can be submitted once the details requested are ready in full to be submitted. A new application and fee will apply. Once received the application will be re-considered with the new supporting documentation provided.

Alternatively, If you are aggrieved by the decision of the Local Planning Authority to refuse permission, you may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. If your appeal is against a Minor Commercial Development, we would advise you to view the guidance on the Planning Portal website under Procedure Guidance, to confirm the time frame for appealing. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/appeal-planning-decision>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country

Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 14 October 2004 must be made within six months of the date of this notice. If you intend to submit an appeal that you would like examined by inquiry, then you must notify your Local Planning Authority (planning@hinckleybosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found on GOV.UK.