

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00434/DISCON
Applicant: Statue Homes Ltd
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Kyngs Golf And Country Club Station Road Market Bosworth

Application to discharge conditions 9 (Hard and Soft Landscaping), 10 (Levels), 15 (Land Contamination) and 22 (Footpath Management Plan) of planning application 19/01437/FUL

Conditions and supporting details submitted to apply for the conditions to be discharged:

Condition 9

Before any development commences full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include:

- (i) Proposed finished levels or contours
- (ii) Means of enclosure
- (iii) Hard surfacing materials
- (iv) Existing trees and hedgerows to be retained and details of their protection
- (v) Planting plans
- (vi) Written specifications
- (vii) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- (viii) Implementation programme.

The approved hard and soft planting scheme shall be carried out in full accordance in the first planting season following the first occupation of any Holiday home. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees and shrubs of a similar size and species to those originally planted.

Received 15 June 2023

C9 Post & Rail Details (1)

C9 Post & Rail Details (2)

C9 Tree Protection Fencing

C9 Gravel Details

Received 22 May 2023

C9 & C22 Detailed Landscape Proposals GL0945 24

C9 & C10 82659.111.1 External Works Surfacing Plan Construction Details

C9 & C10 82659.110.P1 External Works Surfacing Plan

C9 & C10 Proposed Site Plan A.PL.001 Rev L

Condition 10

No development shall commence on site until such time as the existing and proposed ground levels of the site, and proposed finished floor levels of the golf clubhouse and holiday accommodation have been submitted to and agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

Received 22 May 2023

C9 & C10 82659.110.P1 External Works Surfacing Plan

C9 & C10 82659.111.1 External Works Surfacing Plan Construction Details

C9 & C10 Proposed Site Plan A.PL.001 Rev L

Received 15 June 2023

C10 Topographical Survey (Existing Levels)

Condition 15 landfill gas

No development approved by this permission shall be commenced until a scheme for the monitoring of landfill gas on the site has been submitted to and agreed in writing by the Local Planning Authority, which shall include details of how any landfill gas shall be dealt with. The approved scheme will 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 3 May 2023

C15 Phase I & Phase II Geo-environmental report 1

Condition 22

No development shall commence on site until a Footpath Management Plan has been submitted to and approved in writing by the Local Planning Authority. Such a plan shall include the details of temporary diversion, fencing, surfacing, signing and a time table for provision. The plan should ensure that the footpath has a width of 3 metres (if enclosed by fences on both sides). No trees or shrubs are to be planted within 1 metres of the edge of the public right of way. Any planted species should be non-invasive. Any changes to the existing boundary treatments running alongside the public right of way are to be approved in writing by the Local Planning Authority. Development shall be carried out and maintained in accordance with the agreed plan.

Received 22 May 2023

C22 PRoW Management Plan (Issue 1)

C9 & C22 Detailed Landscape Proposals GL0945 24

Consultees / Assessed by:

Environmental Services

Compliance & Monitoring Officer

LCC Highways (PRoW)

Conclusion / Summary:

Condition 9

Plans submitted in support of Condition 9 and assessed by the Compliance & Monitoring Officer. The landscaping plan identifies amenity grass and tussock mix (meadow grassland) around the site to provide neat areas to the development but also enhancing biodiversity in the areas beyond. One hundred and twenty trees propose to be planted across the site together with amenity shrubs to some areas and a native mix species hedgerow. Bulb planting has been proposed to brighten up the soft landscaped roundabout used as access to the development areas. The existing hedge to the south and west of the site will be retained, additional tree planting to enhance areas around the outskirts of the development area this includes the car parking and immediate areas around the building and courtyard. Together with additional trees planting to enhance the existing pond area. Amenity grass is shown to surround the new buildings with only an access path, which will provide a large expanse of amenity area. Decorative gravel to the courtyard area is proposed with a tree planted to the centre as a focal point. Hard surfacing will consist of

tarmac to the parking and road areas with permeable block paving around the parking sections to the west of the site. The new fences detailed on the site plan are to be post and rail. Implementation provided within the condition wording and be adhered to. The details ensure that development has a satisfactory external appearance and enhances and conserves the biodiversity of the application site, and is implemented within a reasonable time and thereafter maintained to accord with Policy DM4, DM6 and DM10 of the Site Allocations and Development Management Policies DPD.

Condition 10

A topographical plan of the site and development area was provided together with a plan to show finished floor levels and proposed levels across the site. A desk assessment on the details provided was undertaken. The conclusion was that the proposed levels across the development area will be similar to that of the existing levels and will follow the undulations of the site. There will be an increased finished floor level to the building, however this will not affect the appearance of the site or surrounding area, but will allow a view over the golf course and nearby high-level areas. The centre of the development to the existing pond area will remain the same and the car parking areas will be similar to those existing levels. The courtyard has an increased in finished floor level but is minimal and will also not impact the development or surrounding area. In our opinion the proposed levels are acceptable to ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 15

A Phase I & II investigation has taken place on site and report provided and assessed by the Councils Environmental Services Officer. An option for gas protection measures to characteristic situation 2 is detailed. The options are acceptable mitigation methods and one should be chosen as the site lies within 250 metres of a known landfill/made up ground site. Therefore, the condition at this stage is eligible for a partial discharge. To fully discharge, an option be chosen and implemented in full. Once the chosen option / mitigation has been completed and verified, , the applicant can apply to fully discharge the condition by providing sufficient validation / verification to ensure that they demonstrate that the site has been mitigated against ground gas egress, in order to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 22

A footpath management document and landscaping plan submitted was assessed by LCC Highways PRow. The details found to be satisfactory as the public footpath is a sufficient distance away from the development which ensures that the Public Right of Way will remain safe and available during the period of construction and throughout the lifetime of the development, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document (2016).

Officer Recommendations:

Condition 9 Landscaping – Discharge

Condition 10 Levels – Discharge

Condition 15 Land Contamination – Partial Discharge - *Note to applicant*

The condition be discharged once the works have been completed and verification is acceptable as per BS8485 (An new application a fee will be required)

Condition 22 Footpath Management Plan – Discharge