

Hinckley & Bosworth Borough Council

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

DoC Decision Notice Split Decision - Discharge of Conditions

Mr Essajee
C/o Mr John Hackman
The Drawing Room (Architects) Ltd
Chartered Architects
130 Moat Street
Wigston,
LE18 2GE

Details of Application:

Application Ref: 23/00663/DISCON
Proposal: Application to discharge 11 (Archaeology), 13 (Land contamination) from planning application 19/00049/FUL
Location: 87 High Street Barwell LE9 8DS

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 CONDITION

The details submitted with condition 13 are unacceptable to the Local Planning Authority and the condition remains **UN-DISCHARGED** for reasons detailed below;

Condition 13

No development approved by this permission shall commence until a scheme for the investigation of any potential land contamination on the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation work so approved shall be carried out prior to first occupation of the site.

C13 Gas Addendum Letter – Received 5 July 2023

Reason: Whilst the supporting details advise that no further works is required for the ground gas, remediation and a remediation verification report are one required to partially discharge the condition (to approve the proposed remediation) with a view to a full discharge once the approved remediation is implemented and verification and validation is provided. The LPA requested this information by email on 16 August 2023 and no further information has been submitted. Therefore, the LPA are not able to partially discharge Condition 13 as they are not in possession of a remediation to ensure that future residents and users of the land are protected against land contamination in accordance with Policy DM7 of the adopted Hinckley and Bosworth Site Allocations and Development Management Policies DPD

DISCHARGED CONDITION

The details submitted with Condition 11 are acceptable to the Local Planning Authority and the condition is hereby **DISCHARGED** subject to the scheme being carried out strictly in accordance with the approved details.

Condition 11

No development shall commence until a programme of archaeological work (strip, plan and record excavation and Archaeological attendance) including a Written Scheme of Investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; an:

- o The programme and methodology of site investigation and recording
- o The programme for post investigation assessment
- o Provision to be made for analysis of the site investigation and recording
- o Provision to be made for publication and dissemination of the analysis and record of the site investigation
- o Provision to be made for archive deposition of the analysis and record of the site investigation
- o Nomination of a competent persons/organisation to undertake the works set out within the written scheme of investigation.

No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.

Received 5 July 2023

C11 Archaeological Attendance & Recording ULAS Report No. 2023-045

Important Notes to Applicant

Where conditions re-main UN-DISCHARGED these can either be appealed or a new application should be submitted with the proposed remediation for the land contamination to be assessed and determined accordingly. A new application and fee are required.

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



Date: 17 October 2023

Christopher Brown MRTPI
Head of Planning