

**Delegated Report
Discharge of Conditions**

Planning Ref: 24/00829/DISCON
Applicant: Mr Liam Edwards
Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: Land North Barton Road Barlestone

Application to discharge planning conditions 8 (Levels), 11 (Tree Protection Plan), 13 (Waste management), 14 (Land Contamination), 17 (Construction Environmental Management Plan), 18 (Construction Transport Management Plan), 24 (Ecology Management Plan), 25 (Badger Survey), 26 (Badger mitigation), 28 (Construction Surface Water Management Plan), 30 (Infiltration Testing) from planning application 21/00096/OUT

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

Condition 8

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

Received 10 November 2024
C8 Engineering Layout (dwg. E279-00-92B)

Received 1 April 2025
TOPOGRAPHICAL SURVEY, C8- Drg No: 54250/03
Topographical Drg No: 25212-25-01 (C 8) (Showing Gregory Road Bungalows)

Condition 11

During the construction period, the existing trees and hedgerows to be retained (as identified in the Tree Retention Plan 9171-T-02 Rev A, Page 21 of the Arboricultural Assessment, FPCR, December 2020, received 26/1/21), shall be protected in accordance with a Tree Protection Plan that has been submitted to and approved in writing by the Local Planning Authority. The protection measures/barriers shall be erected before any equipment, machinery or materials are brought onto the site for the purposes of development and shall be maintained until all equipment machinery and surplus material has been removed from the site. Nothing shall be stored or placed within the areas protected by the barriers erected in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made, without the written consent of the Local Planning Authority.

Received 27 March 2025
C11, C17 & C18 CMP (Includes tree protection) N22.020_ENG250 Rev I

Received 30 January 2025
C11 Arboricultural Assessment – Received 2 September 2025

Condition 13

No development shall commence on site until a scheme that makes provision for waste and recycling storage and collection across the site has been submitted in writing to and approved in writing by the Local Planning Authority. The details should address accessibility

to storage facilities and adequate collection point space at the adopted highway boundary. The approved scheme shall be implemented in accordance with the agreed details.

Received 27 March 2025

C13 22025-70-009_P2 Proposed Bin Storage and Collection Strategy.

Condition 14

Notwithstanding the recommendations within the Phase I Site Appraisal carried out by GRM reference P9075 dated September 2019, 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 in writing to and agreed in writing by the Local Planning Authority which 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 works so approved shall be carried out prior to the site first being occupied.

C14 & C30 Phase II Geo Environmental Assessment - Received 2 September 2024

C14 Gas Addendum Letter - Received 2 September 2024

C14 Ground Investigation To Assist With Vibro Foundation Letter

C14 108404_GP-1-Product-Data-Sheet_v5. – Received 29 November 2025

C14 108404-GP-1-NBS-Specification-Sheet_v2 – Received 29 October 2024

C14 GP1-BBA-Certificate-202

Received 25 October 2025

C14 & C17 SD506 - Level Access Threshold – Spantherm

C14 & C17 SD507 - Party Wall Floor Junction (MyPad)

C14 & C17 SD508 - Ground Threshold Detail (MyPad)

C14 & C17 SD509 - Ground Floor to Wall Detail (MyPad)

Condition 17

a) Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints.

b) The agreed details shall be implemented throughout the course of the development.

Site preparation and construction shall be limited to the following hours;

Monday - Friday 07:30 - 18:00

Saturday 08:00 - 13:00

No working on Sundays and Bank Holidays

C Received 27 March 2025

C11, C17 & C18 CMP (Includes tree protection) N22.020_ENG250 Rev I

Condition 18

No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Received 27 March 2025

C11, C17 & C18 CMP -(includes tree protection) N22.020_ENG250 Rev I

Condition 24

An Ecological Management Plan, including long term objectives, management responsibilities and maintenance schedules for all landscape areas, other than small privately owned, domestic gardens, shall be submitted with any reserved matters application. The management plan shall be in accordance with the Ecological Appraisal (FPCR, December 2020, received 26/1/21) and include provision of bird & bat boxes, and details of the proposed planting which must consist of locally native species only. The landscape management plan shall be carried out as per the approved details.

Received 2 September 2024

C24 Landscape Ecological Management Plan

Condition 25

No development shall commence until a survey to confirm (or otherwise) the presence of badgers on the site has been submitted to and approved in writing by the Local Planning Authority. If badgers are present, the survey shall be accompanied by a scheme of appropriate mitigation measures (including precise details of the timing and method of protection). No development shall be undertaken except in accordance with the approved scheme of mitigation.

C25 & C26 Badger Survey – Received 2 September 2024

Condition 26

No development shall commence on site unless and until precautionary working methods for badgers during construction, including Heras fencing to be erected along the northern site boundary to prevent access within 20 metres of the known off-site badger sett, are implemented as set out in paragraphs 4.18 and 4.20 of the Ecological Appraisal (FPCR, December 2020, received 26/1/21). The precautionary working methods shall be retained for the duration of the construction period.

25 & C26 Badger Survey – Received 2 September 2024

Condition 28

No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to and approved in writing by the Local Planning Authority.

C28 N22.020_ENG260B Surface water management plan A1 – Received 27 March 2025

Condition 30

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.

C14 & C30 Phase II Geo Environmental Assessment Received 2 September 2024

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council

HBBC Drainage

Compliance & Monitoring Officer

Waste & Recycling

Conclusion / Summary:

Condition 8

Proposed levels and Finished floor levels have been provided to the development site along with a topographical survey which shows the existing. The proposed levels across the site are like those of the existing as to the exiting land levels and no significant changes are proposed to ensure their appearance will be satisfactory. The developer has also provided on requesting to show the impact of the new plots in relation to the bungalows on Gregory Road. This plan shows the existing and proposed ridge heights which will ensure that the properties are not overlooked. The play area levels are to remain as existing. Both new plot gardens and existing properties on Gregory Road have levels which are lower towards the rear of their gardens which is minimal and from the new gardens so as not to cause any significant impact. The details provided in our opinion 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 11

An Arboricultural Assessment along with tree protection measures and plan has been provided to support the discharge of condition 11. The plan shows acceptable tree protection to those trees and hedges which are to be retained on the development site which will help to ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape in accordance with policy DM6 and DM10 of the Site Allocations and Development Management Policies DPD.

Condition 13

Plans have been submitted that detail the waste and recycling collection points across the site and assessed by the Council's Waste & Recycling Team. There has been some difficulty with achieving both visual appearance and meet the Council's collection policy, where compromises have had to take place and the final results is that the scheme has acceptable bin collection points for all properties, however some collection points are not totally detrimental and have been placed in the best position available. The details mostly ensure the bin storage on site is not detrimental to the street scene and overall design of the scheme in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 14

A Phase II Geo Environmental Assessment has been submitted that details ground investigations that have been undertaken on site by Erda Associates and assessed by the Council's Environmental Services Officer. The report confirms that gas protection measures are required, and the proposed works are satisfactory and must be undertaken. The remediation measures ensure that future users of the land and neighbouring land are : ensure minimised from land contamination in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016). Condition 14 is eligible for a partial discharge and when gas remediation measures are completed evidence should be submitted to the LPA to enable the condition to be fully discharged.

Condition 17

A construction management plan has been provided that details what works are to be undertaken on site and what mitigation they are going to provide during the construction period. The plan covers dust control mitigation during dry weather, and also mud for wet weather, , noise with working hours and vibration monitoring to ensure that the vibration levels are kept below the minimum requirement. The details have been assessed by the Councils Environmental Services Officer to minimise disruption as much as possible to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 18

A construction management plan has been provided that details what works are to be undertaken on site and what mitigation they are going to provide during the construction period. The plan has been reviewed by the Highway Authority, and they are satisfied that an acceptable traffic route is provided to assist in vehicles entering the site, wheel wash facilities to reduce mud on the roads. Adequate parking and welfare facilities are to be provided on the application site sufficient to accommodate workers and visitors to ensure that nearby roads are not used for off-street parking which could create problems in the area. The details demonstrate they they accord with policy DM17 of the adopted Site Allocations and Development Management Policies DPD 2016.

Condition 24

A Landscape Management and Maintenance Plan has been provided to support the discharge of condition 24 which is from an ecology point. The details within the plan specifically outline the objectives and aims which have successfully demonstrated to LCC Ecology how the ecological elements are to be managed and maintained which will ensure that the establishment of proposed and implemented habitats are suitably managed to help their long-term life and that works are carried out within a reasonable timeframe to in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 25

A badger report and mitigation strategy has been provided and assessed by LCC Ecology. The mitigation strategy is acceptable and will need to be strictly followed in full as the investigations undertaken by the developers Ecologist identifies that they are very mobile within the site and the mitigation measures will help to ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework.

Condition 26

A badger report and mitigation strategy has been provided which includes working methods. The report has been assessed by LCC Ecology who have advised that the details are acceptable subject to the measures being followed in full which will then ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and Government guidance contained within the National Planning Policy Framework.

Condition 28

A surface water management plan has been provided to support condition 28 for drainage during the construction period. The details have been assessed by the LLFA and the Councils Drainage Officer who found the details to be acceptable as they demonstrate how they prevent increase in flood risk, whilst still maintaining the existing surface water runoff quality, as well as preventing damage to the final surface water management systems though the entire development construction phase in accordance with Policy DM7 of the

adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 30

A Phase II Geo Environmental Assessment has been submitted that details ground investigations that have been undertaken on site by Erda Associates and assessed by the Council's Drainage Officer and the LLFA. The results of the soakaways confirmed that the site is unsuitable for soakaways which demonstrates that the site has been assessed adequately for infiltration techniques as part of the drainage strategy in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Officer Recommendations:

Condition 8 Levels – Discharge

Condition 11 Tree Protection – Discharge

Condition 13 Waste and Recycling – Discharge

Condition 14 Land Contamination – Partial Discharge

Condition 17 Construction Environmental Management Plan – Discharge

Condition 18 Construction Traffic Management Plan – Discharge

Condition 24 Ecology Management Plan – Discharge

Condition 25 Badger Survey – Discharge

Condition 26 Badger Mitigation – Discharge

Condition 28 Surface Water Management Plan – Discharge

Condition 30 Infiltration Testing - Discharge

The following conditions were originally applied for and **removed** from the application as either no details were ready to be submitted or are conditions to be adhered to:

Conditions 9 Building For Life – Removed

Condition 10 Lighting - Removed

Condition 22 Drainage – Removed

Condition 27 Surface Water Drainage – Removed

Condition 29 Surface Water Drainage Maintenance – Removed

Condition 31 Broadband Connection – Removed