

This matter is being dealt with by
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The Planning Department
Development Management
Hinckley & Bosworth Borough Council
Hinckley Hub
Rugby Road
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Leicestershire
LE10 0FR

Our ref: 1067071.10
Your ref: PP-12049992

26 April 2023

Online submission only

Dear Planning,

THE TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Application for Discharge of pre-commencement conditions 9, 10, 15 and 22 of planning permission ref: 19/01437/FUL, for the erection of a multi-purpose golf clubhouse (D2), formation of new car parking areas and access roads and the erection of 6 Golf holiday homes (C1) and all associated ancillary works and landscaping

At Kyngs Golf and Country Club, Station Road, Market Bosworth, Nuneaton, Leicestershire

Introduction

1. We write on behalf of Statue Homes Ltd ("the applicant") and hereby confirm submission of the above application, to discharge pre-commencement conditions 9, 10, 15 and 22 of planning permission ref: 19/01437/FUL today via the Planning Portal. A BACS payment, for the correct amount of £116.00 has also been sent to the Council today.
2. The following documents accompany this electronic submission and should be read in conjunction with this covering letter:
 - External Works and Surfacing Plan, drawing no. 110 rev. P1;
 - External Works and Surfacing Plan Construction Details, drawing no. 111 rev. P1;
 - Proposed Site Plan, drawing no. A-PL-001 rev. L;
 - Detailed Landscape Proposals, drawing no. GL0945 24;

- Phase I and II Geoenvironmental Report, prepared by Ivy House Consulting; and
- Footpath Management Plan, prepared by Golby and Luck Associates

Condition 9: Landscaping Details

3. Pre-commencement condition 9 of planning permission ref: 19/01437/FUL reads as follows:

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.

Reason: *To ensure that the development has a satisfactory external appearance and enhances and conserves the biodiversity of the application site, and is implemented within a reasonable time period and thereafter maintained to accord with Policy DM4, DM6 and DM10 of the Site Allocations and Development Management Policies DPD.*

4. In pursuit of discharge of pre-commencement condition 9, please refer to the accompanying External Works and Surfacing Plan, alongside the Proposed Site Plan.

Full details regarding the proposed levels and means of enclosure are provided, alongside appropriate hard surfacing materials that will allow for a high quality development to be brought forth, reflecting the visions of the applicant.

5. Further details regarding the proposed planting plans, specifications of the plants proposed, the schedules and species provided, alongside a programme of implementation are all provided within the accompanying Detailed Landscaping Proposals drawing. This drawing has been based off of the approved Ecological Mitigation Works Report, prepared by Wildlife Consulting and incorporates the great crested newt protection measures, alongside details of the wildflower meadow to be planted.

Condition 10: Ground Level Details

6. Pre-commencement condition 10 of planning permission ref: 19/01437/FUL reads as follows:

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.

Reason: 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).

7. In pursuit of discharge of the above condition, please refer to the External Works and Surfacing Plan, drawing no. 110 rev. P1 and External Works and Surfacing Plan Construction Details, drawing no. 111 rev. P1 prepared by PRP Consulting.
8. The accompanying plan includes the relevant details regarding site levels to allow for appropriate drainage whilst ensuring means of access, tying to conditions 16, 17, 18 and 19, applied for under previous pre-commencement conditions application ref: 23/00238/DISCON. These levels are also reflected in the details submitted in pursuit of pre-commencement condition 9, detailed above.

Condition 15: Gas Monitoring Details

9. Pre-commencement condition 15 of planning permission ref: 19/01437/FUL reads as follows:

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 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.

Reason: *As the site lies within 250 metres of a known landfill/made up ground site and in the absence of detailed information which demonstrates that the site does not have 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).*

10. In pursuit of discharge of the above condition, please refer to the Phase I and II contaminated land report, prepared by Ivy House Consulting. The investigative works undertaken by Ivy House Consulting, a summary of which is provided at page 2 of the report, confirms gas protection measures to Characteristic Situation 2. These protection measures include a reinforced cast in-situ suspended floor slab with minimal penetration, minimum 2000g gas membrane and sealed service entries set against BS8485 guidance.

Condition 22: Footpath Management Plan

11. Pre-commencement condition 22 of planning permission ref: 19/01437/FUL reads as follows:

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.

Reason: *To ensure the Public Right of Way is 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).*

12. In pursuit of discharge of the above condition, please refer to the accompanying Footpath Management Plan, prepared by Golby and Luck Associates. Details pursuant to the management of the footpath, inclusive of the details of temporary diversion, fencing, and surfacing, signage and implementation timetable are provided, and the planting in closest proximity to the footpath is also provided. The planted species are non-invasive and will reflect the soft landscaping brought forth elsewhere on the golf course.

Conclusions

13. The Council are respectfully invited to discharge conditions 9, 10, 15 and 22 of planning permission ref: 19/01437/FUL at their earliest convenience.
14. The contents of the accompanying materials have been discussed at length between the appointed consultants and are considered to represent a proportionate and appropriate scheme of landscape and ecological management and mitigation, having reference to the ecological value of the site. The plans seek to ensure that the proposed levels will allow for traversing the site unabated, and that the proposed planting and hard landscaping reflects the characteristics of the surrounding area, with the replacement of any species with an appropriate, and in some cases, improved mix of species also proposed.
15. The details for construction of the proposed surfaces, the details regarding the proposed levels for the landscaped areas and the clubhouse and holiday cabins, the contaminated land report and gas monitoring, alongside the footpath management plan are also provided to allow for discharge.

16. We look forward to confirmation of receipt of this discharge of conditions application and the associated fee in due course. If there are any queries pursuant to this application prior to determination, please do not hesitate to contact Matthew Roe at your earliest convenience.

Yours sincerely

A handwritten signature in black ink, appearing to be 'M. Roe', with a long horizontal flourish extending to the right.

Matthew Roe MRTPI

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