

**Delegated Report
Discharge of Conditions**

Planning Ref: 24/00362/DISCON
Applicant: Mr Mitesh Rathod
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Land Off Captains Lane Markfield

Application to discharge Condition 6 (Drainage) and 34 (Travel Plan) from planning application 24/00074/CONDIT (23/00117/CONDIT & 20/01283/FUL)

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

Condition 6

No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority. Details of the Maintenance Plan should 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. The maintenance of the surface water drainage system shall then be undertaken in accordance with these details.

Received 16 April 2024

C6 Drainage Maintenance Schedule

C6 Drainage Maintenance Plan MFD_09_810_01

Condition 34

No part of the development hereby permitted shall be first occupied until a framework Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

C34 Travel Plan (TP) Land South of London Road RT784-B067416 – Received 3 June 2024

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council
HBBC Drainage Officer
LCC Highways

Conclusion / Summary:

Condition 6

A maintenance schedule document together with a drainage maintenance plan has been submitted in support of condition on 16 April 2024. The details were assessed by the Councils Drainage Officer and the LLFA. The Council's Drainage Officer was satisfied with the details provided, however the LLFA have advised the LPA that the watercourses are shown to be the responsibility of the riparian landowner, and whilst this is acceptable, the LLFA have requested details to be provided where possible which include details of future riparian landowners where this is known, i.e. HBBC, Leicestershire County Council, Jelson Homes / Plot numbers.

The LLFA advised it does not have any experience with independent water networks who are proposed to adopt on site drainage under S104 agreement. The applicant was requested to submit details of IWNL's maintenance regime which should include all surface water elements included within the adoption. Alternatively the applicant has been asked to include all surface water elements on site within the submitted maintenance plans, including the piped drainage network, culvers and the flow control chamber. Despite asking for this information from the developer no further details have been provided therefore the LPA is not in a position to discharge the condition without the support of the LLFA as it may compromise the maintenance regime that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

Condition 34

A revised Travel Plan has been submitted subsequent to the original where LCC Highways asked for additional information to be included. The plan now details in Section 7 an action plan of specific measures, outlines interventions with quantifiable outputs and outcome targets with specific timescales and therefore are satisfied that the condition can be discharged the plan demonstrates how the developer will assist in the reduction of the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the SADMP (2016).

Officer Recommendations:

Condition 6 Long Term Maintenance – **Not Discharged**

Information required

- **Details of initial riparian ownership where known, i.e. Hinckley & Bosworth Borough Council, Leicestershire County Council, Jelson Homes, plot numbers etc.**
- **Submission of IWNL maintenance plan and schedule or revised maintenance schedule to include all S104 adoptable surface water drainage elements.**

Condition 34 Travel Plan - Discharge