

**Delegated Report
Discharge of Conditions**

Planning Ref: 24/00501/DISCON
Applicant: N/A
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Lyndale Lindridge Lane Desford

Application to discharge conditions 7 (Biodiversity Enhancement) 8 (Landscaping & Tree Protection) 9 (Waste & Recycling) 10 (Drainage) and 11 (Archaeology) of 23/00445/OUT.

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

Condition 7

No development (including vegetation clearance) shall take place until an ecological mitigation, compensation and enhancement strategy has been submitted to and approved in writing by the LPA. Any mitigation, compensation or enhancement measures need to be clearly shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme.

C7 Ecological Enhancement BG24.138 Revised - Received 12 June 2024

C7 BG24.138 Final Matrix - Received 22 May 2024

Condition 8

No development (including vegetation clearance) shall commence until a detailed scheme of landscaping and measures for the protection of trees to be retained during the course of development has been submitted to and approved in writing by the Local Planning Authority. This shall include the following items;

- i) A site-specific tree protection plan;
- iii) A tree survey of the existing protected trees;
- iv) An arboricultural implications assessment

Thereafter, none of the trees or hedges indicated to be retained shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the trees or hedges to be retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as maybe specified in writing by the Local Planning Authority.

Received 20 May 2024

C8 & C9 Site Layout

C8 Arboricultural Implications Assessment

C8 Tree Constraints Plan

C8 Tree Protection Plan

C8 Tree Constraints Plan Shading

C8 Arboricultural Method Statement

Condition 9

No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to the Local Planning authority. The details should address

accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

C8 & C9 Site Layout – Received 20 May 2024

Condition 10

Development shall not begin until surface water drainage details, incorporating sustainable drainage principles (SuDS) have been submitted to and approved by the Local Planning Authority (LPA), and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Received 19 June 2024

C10 Storm Run Drainage Calculations

C10 Drainage Plan 23.010 Rev A

Received 20 May 2024

C10 Storm Drainage E23-24-020

C10 Road and Sewers General Arrangement E23-24-040

C10 Sewer Construction Details E23-24-030

Condition 11

No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed. The programme will commence with an initial phase of trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and

- o The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

- o The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

C11 Archaeological Evaluation - Received 20 May 2024

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council

Drainage Officer

LCC Archaeology

LCC Ecology

Compliance & Monitoring Officer

LCC Trees Officer

Conclusion / Summary:

Condition 7

An Ecological Enhancement plan and final matrix has been submitted and assessed by LCC Ecology. The details within demonstrate how they proposed to make those ecological enhancement and to manage and maintain them in order to provide a net gain in

biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy ENV3 of the Desford Neighbourhood Plan (2021), and the requirements of the NPPF (2021).

Condition 8

Documents have been submitted that provide an assessment of the trees on the site as to what should be retained and what are not suitable to be retained, one due to the quality of the tree and secondly to enable the development to be implemented. Where the trees are to remain, a tree protection plan has been provided which will assist in protecting the trees during the construction period along with identified ground protection areas which will be mitigated by using cellular confinement and no dig methodology. The details demonstrate how the trees will be protected to ensure that the trees and hedges and their root systems are preserved whilst construction work is progressing on site and that the existing trees on the site are retained and protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy ENV3, H6 and H7 of the Desford Neighbourhood Plan (2021), and paragraph 170 of the National Planning Policy Framework (2021).

Condition 9

The Councils Waste & Recycling Officer has assessed the site location plan and has advised that the bin collection points are in a location which meets the Councils Policy Requirements and that they won't be detrimental to the street scene as they are not directly on the highway. The details provided demonstrate that the amenity of neighbours and the character of the area is protected in accordance with the Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 10

A drainage strategy has been submitted together with supporting micro drainage calculations. The details have been assessed by the Councils Drainage Officer and he is satisfied that the scheme will help to reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraph 110 and 112 of the National Planning Policy Framework (2021).

Condition 11

The archaeological evaluation has been submitted in support of condition 11 and assessed by LCC archaeology. The evaluation indicates that no further archaeological investigations are required and that the report concludes the commitment to OASIS reporting with the Archaeological Data Service (ADS) and an accession number for the Leicestershire Museums Service (LMS) which ensure that an archaeological investigation, recording, dissemination and archiving has been satisfactorily implemented in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

Officer Recommendations:

Condition 7 Biodiversity Enhancement – Discharge
Condition 8 Landscaping & Tree Protection – Discharge
Condition 9 Waste & Recycling – Discharge
Condition 10 Drainage – Discharge
Condition 11 Archaeology - Discharge