

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/00388/DISCON
Applicant: Wood Farm Holdings
Ward: Markfield Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Site: Wood Farm Stanton Lane Ellistown

Application to discharge C9 (CEMP) C12 (Surface Water Drainage Scheme), C13 (Biodiversity Management Plan) C14 (Tree Protection) C15 (Solar Panel Provision and Maintenance) on Appeal Decision APP/K2420/W/21/3279939 (relating to the Outline - employment) attached to planning permission 21/00531/HYB

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

Condition 9

No development shall commence, including works of site clearance and preparation, unless and until a Construction Environmental Management Plan (CEMP) has been submitted to and agreed in writing by the local planning authority. Development shall thereafter be carried out in accordance with the approved CEMP, which shall remain in force for the construction period. The CEMP shall include, but is not confined to:

- i) site management arrangements, including: on-site storage of materials, plant and machinery; temporary offices, contractors compounds and other facilities; on-site parking and turning provision for site operatives, staff, visitors and construction vehicles; and provision for the loading/unloading of plant and materials within the site;
- ii) Measures to control and monitor the emission of dust, dirt, noise, odour and smoke, including procedures for complaint investigation;
- iii) A method statement for the prevention of contamination of soil and groundwater, including the storage of fuel and chemicals;
- iv) Measures to control surface water run-off during demolition and construction, including any temporary attenuation and controls and a scheme to treat and remove suspended solids;
- v) Arrangements for controlling the use of site lighting, whether for safe working or for security purposes, and hours of operation;
- vi) measures to prevent the deposit of mud and debris on the adjacent highway, including wheel washing facilities and sheeting of vehicles transporting loose aggregates or similar materials on or off site;
- vii) details of any temporary highway works;
- viii) a construction waste management plan that identifies the main waste materials expected to be generated by the development during demolition and construction, together with measures for dealing with such materials so as to minimise waste and to maximise re-use and recycling;
- ix) location of access/exit points for construction traffic;
- x) the erection and maintenance of signage at all vehicular exits from the construction site advising drivers of preferred approach and exit routes to the site, including no right turns into the site

**C9 & C12 Outline Construction Surface Water Management Plan - Received 6 July 2023
C9 CEMP Rev 03 (Updated) - Received 26 May 2023**

Condition 12

Other than site enabling and clearance works, no development shall take place unless and until details of a surface water drainage scheme have been submitted to and approved in writing by the local planning authority. The surface water drainage scheme shall be implemented and thereafter managed in accordance with the approved details and timetable. The details to be submitted shall:

- i) provide information about the design storm period and intensity, and the method employed to delay and control the surface water discharged from the site, designed for the 100-year event plus 40% climate change allowance, with discharge rates to the existing outfall limited to a Qbar rate of 79.2 l/s for storm events up to and including the 1 in 100 year event, and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) provide, a management and maintenance plan for the lifetime of the development, which shall include provision for routine maintenance, remedial actions and monitoring of the separate elements of the system, including procedures that must be implemented in the event of pollution incidents within the development site, as well as the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime; and,
- iii) include a timetable for implementation for all elements of the approved scheme.

C9 & C12 Outline Construction Surface Water Management Plan - Received 6 July 2023
C12 19-7688 FRA & Drainage Statement Issue 8 Received 23 June 2023
C12 Supporting Email Received 23 June 2023

Condition 13

No development shall commence, including works of site clearance and preparation, unless and until a Biodiversity Management Plan for the site, including a timetable for implementation, has been submitted to and approved in writing by the local planning authority that reflects the mitigation measures set out at Table 10 of the Lockhart Garratt Ecology Summary Report (Ref: 19-2105v4). The Plan shall set out a site-wide strategy for protecting and enhancing biodiversity, containing detailed design of the proposed biodiversity enhancements, including a biodiversity net gain assessment using a standard metric and arrangements for their subsequent management once the development is completed, including all retained and created habitats (including SuDS) and bat and bird boxes. Development shall be implemented and thereafter maintained in accordance with the approved Management Plan.

C13 Biodiversity Management Plan – Received 21 April 2023
C13 Landscape Management Maintenance Report

Condition 14

Prior to commencement of development, including site works of any description, a Tree Protection Plan (based on the draft Plan No 20-5330v1 which forms part of the Lockhart Garratt Arboricultural Impact Assessment dated March 2021 (Ref:19-2138)) shall be submitted to and approved in writing by the local planning authority. The Plan shall be prepared by a suitably qualified arboriculturist and shall include protective barriers to form a secure construction exclusion zone and root protection area around those trees in accordance with British Standard 5837:2012 Trees in relation to design. Any trenches for services that are required within the fenced-off areas shall be excavated and back-filled by hand and any tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left un-severed. Development is to be carried out in accordance with the approved scheme.

C14 Arboriculturalist Method Statement – Received 21 April 2023

Condition 15

Prior to commencement of development in any phase, a scheme for the provision and ongoing maintenance of roof-mounted solar panels on any building within that phase and which maximise on-site renewable electricity generation, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved scheme prior to first occupation of the relevant building and the panels shall be retained and maintained thereafter in accordance with the approved details

C15 Solar PV Access Statement 3006 Rev D - received 13 July 2023

Consultees / Assessed by:

LLFA (Local Lead Flood Authority) – Leicestershire County Council
Drainage Officer
Environmental Services Officer
Tree Officer
Compliance & Monitoring Officer
LCC Ecology
National Forest

Conclusion / Summary:**Condition 9**

A Construction Environmental Management Plan has been provided and assessed by the Councils Environmental Services Officer. The plan details how noise, odour and pollution will be mitigated during the construction of the development which will assist in mitigating the impact of the development to neighbouring properties in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD (2016) and the requirements of the NPPF.

Condition 12

A scheme for the surface water drainage was submitted which details how the development will ensure that flooding is not exceeded. This includes how surface water will be dealt with during the construction stage and how proposed drainage scheme will be maintained. The Councils Drainage Officer and the LLFA assessed the details. The details demonstrate a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Condition 13

National Forest and LCC Ecology have reviewed the Biodiversity Management Plan and the Landscape Maintenance Plan (together with a SuDS maintenance plan). The LPA are of the opinion to discharge the condition as it demonstrates how the areas of ecological value will be maintained and enhanced in with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016), Policy SG15 of the Stoke Golding Neighbourhood Plan (2022) and Paragraph 180 of the National Planning Policy Framework (2021).

Condition 14

The Councils Tree Officer has assessed the supporting Arboricultural Method Statement. The report details the mitigation they propose to protect the trees and existing woodland, to ensure that the trees on site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 170 of the National Planning Policy Framework (2021).

Condition 15

A Solar Panel Access Statement has been if details the scheme of solar panels proposed for the development, including their location and type to be installed. The report also confirms how the solar panels are to be maintained in perpetuity to achieve a maximum output of energy to the user. The solar panels are accessible from inside the development building and also be reviewed and cleaned via a remote controlled equipment and drone facilities. A regular maintenance regime is proposed and therefore the Local Planning Authority are of the opinion that the details provided ensure that the proposed sustainable energy will be optimised.

Officer Recommendations:

Condition 9 Construction Environmental Management Plan - Discharge
Condition 12 Surface Water Drainage – Discharge

Condition 13 Biodiversity Management Plan – Discharge
Condition 14 Tree Protection – Discharge
Condition 15 Solar Panel Provision and Maintenance