

**Delegated Report  
Discharge of Conditions**

**Planning Ref:** 23/01077/DISCON  
**Applicant:** Mrs Clare Mellor  
**Ward:** Ambien



Hinckley & Bosworth  
Borough Council

**Site:** Land Off Wood Lane Higham On The Hill

**Application to discharge condition 15 (Noise), Condition 18 (Land Contamination), Condition 20 (Electronic Communications), Condition 21 (Levels), Condition 24 (Surface Water Drainage), Condition 27 (Infiltration), Condition 28 (CTMP), Condition 32 (Highway Drainage) of planning application 21/01147/OUT**

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

**Condition 15**

- a) Development shall not begin until a scheme for protecting proposed dwellings from noise from existing sources and from sources associated with the development and existing dwellings from noise associated with the development has been submitted to and approved by the Local Planning Authority
- b) All works which form part of the scheme shall be completed before any of the permitted dwellings are first occupied.

**Received 12 April 2024**

**C15 Acoustic Assessment 26227-ENV-0401 Rev A**

**Received 16 February 2024**

**C15 Foundation Zoning Plan**

**C15 Plot Foundation Plans 100A, 101A, 102, 103A,104,105,106,107,108, 109A**

**Condition 18.**

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.

**Received 14 November 2023**

**C18 & C27 Phase II Ground Investigations**

Condition 20. Prior to the commencement of development full details for the provision of electronic communications infrastructure to serve the development, including full fibre broadband connections, shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and the infrastructure fully available prior to the occupation of each dwelling/unit on the site.

**Received 22 December 2023**

**C20 Site Civils V3 285958 (Virgin Media)**

**Received 14 November 2023**

**C20 Virgin Media Email & Site Plan**

**Condition 21**

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 agreed in writing by the local planning authority. The development shall then be implemented in accordance with the approved details.

**Condition 24**

No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. the Scheme shall be implemented in accordance with the approved details.

**Received 14 November 2023**

**C24 & C32 Adoptable Drainage Sheet 1 & 2**

**Received 14 December 2024**

**C24 Hydraulic Characteristics SHE-0136-9400-1400-940**

**C24 Supporting Calculations 2yr, 30yr & 100 yr 9.11.23**

**Received 23 January 2024**

**C24 Supporting Calculations 100yr + 40%**

**Received 15 February 2024**

**C24 Supporting Statement from Engineers**

**Received 15 February 2024**

**C27 & Received C32 Landscaping Detailed Planting Plan 004 (Showing pond planting as SuDS feature)**

**Received 7 March 2024**

**C24 & C27 Proposed Levels and Drainage 100 Rev E**

**C24 & C32 Flow Control Chamber Construction Details (previously submitted December 2023)**

Condition 27. 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.

**Received 14 November 2023**

**C18 & C27 Phase II Ground Investigations**

**Received 15 February 2024**

**C27 GI Executive Summary**

**Condition 28**

No development shall commence on the site until such time as a construction traffic management plan, including as a minimum detail of the routing 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 15 December 2023**

**C28 Dust Management / Procedure**

**Received 11 April 2024**  
**C28 CTMP (CEMP) 1023-007C**

Condition 32. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

**Received 15 February 2024**  
**C27 & Received C32 Landscaping Detailed Planting Plan 004 (Showing pond planting as SuDS feature)**

**Received 7 March 2024**  
**C24 & C32 Proposed Levels and Drainage 100 Rev E**

**Consultees / Assessed by:**

LLFA (Local Lead Flood Authority) – Leicestershire County Council  
HBBC Drainage  
LCC Highways  
Environmental Services  
Compliance & Monitoring Officer

**Conclusion / Summary:**

**Condition 15**

The noise assessment sets out the investigations of the site for noise levels and what mitigation may be required. The Councils Environmental Services Officer requested a limit of noise from plant not to be exceeded as the specific use of the shop is not yet decided. This has been provided and therefore the assessment demonstrates that no noise level will exceed the agreed level which assists in ensuring that the proposed residents are protected in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

**Condition 18**

A Phase II Investigation has taken place and supporting documentation provided and has been assessed by the Councils Environmental Services Officer. No contamination was found on the site therefore no mitigation is required. The Phase II Report has ensured that future users of the land and neighbouring land will be at no significant risks from land contamination in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)

**Condition 20**

The developer has engaged with Virgin Media to provide the infrastructure to the development site, where a plan has been provided to demonstrate this along with the correspondence of engagement. The LPA are satisfied that the details provide the security that the development, once implemented will provide a high quality and reliable communications infrastructure network to serve the development to accord with paragraph 114 of the National Planning Policy Framework (2021).

**Condition 21**

A plan has been provided which details the existing, proposed, and finished floor levels. A desk assessment has been made paying particular attention to existing houses adjacent to the development. The plan shows that the levels along this location change slightly to that of existing but less than .5m which ensures that the development will not be significantly built up in this area and the rest of the site is similar and flows with the lay of the land and the

datum of the road. The LPA believes that the proposed levels and finished floor levels demonstrate that the development has a satisfactory appearance and in the interest of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

**Condition 24**

Drainage plans along with supporting drainage calculating that take into consideration climate change have been provided and the final details found acceptable by the Councils Drainage Officer and the LLFA. The details provide acceptable flow control mechanisms which along with the calculations and drainage strategy demonstrate that the developments drainage scheme will assist in the prevention of flooding on the development site as a satisfactory storage and disposal of surface water drainage has been provided in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)

**Condition 27**

During the Phase II Investigations ground conditions were found to be predominantly clay with bands of sand and perched water and therefore it was considered that the report demonstration that the site was not suitable for the use of 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).

**Condition 28**

The construction traffic management plan has been assessed by the local highway authority and the councils Environmental Services Officer. Phase II report detailed that piling was likely possible and details have been provided to cover the vibration levels and the monitoring to which mitigation can be taken if levels are exceeded. A dust risk assessment and mitigation has also been provided that provides satisfactory methods of mitigation to minimise dust. Wheel wash facilities will be provided on site along with onsite parking, compound and welfare facilities. A construction route plan has been provided that details vehicles to access the development off Nuneaton Lane. All orders that are placed come with a note to suppliers that detail this information. Although the LPA cannot enforce the route taken, this will assist in advising how they should get to site. The details within demonstrate that the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users is minimised, to ensure that offsite parking doesn't cause a nuisance to the surrounding area of the development and to assist construction traffic on the best way to access the site.

**Condition 32**

Plan 100 by Travis Baker has been assessed by the Local Highway Authority. The plan details gradient levels and gully locations where the surface water will drain towards. The LHA are satisfied that surface water will be minimised / not drain into the public highway causing dangers to road users in accordance with the National Planning Policy Framework (2021).

**Officer Recommendations:**

Condition 15 Noise – Discharge

Condition 18 Land Contamination – Discharge

Condition 20 Electronic Communications – Discharge

Condition 21 Levels – Discharge

Condition 24 Surface Water Drainage – Discharge

Condition 27 Infiltration Testing – Discharge

Condition 28 Construction Traffic Management Plan – Discharge

Condition 32 Highway Drainage – Discharge

**15 (Noise), Condition 18 (Land Contamination), Condition 20 (Electronic Communications), Condition 21 (Levels), Condition 24 (Surface Water Drainage), Condition 27 (Infiltration), Condition 28 (CTMP), Condition 32 (Highway Drainage)**