

**Delegated Report
Discharge of Conditions**

Planning Ref: 23/01129/DISCON
Applicant: N/A N/A c/o WSP
Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Neovia Logistics Services (UK) Ltd Peckleton Lane Desford

Application to discharge Condition 5 (Occupation of Floor Space), Condition 42 (Travel Plan), Condition 44 (Travel Pack) for Unit 1 only and Condition 32 (Access) from planning application 21/00619/FUL

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

Condition 5

Prior to occupation of each hereby approved building a plan shall be submitted to and approved in writing by the Council providing confirmation of the amount of floor space provided for B8 and B2 use within that building. The use of the building shall thereafter accord with the approved details.

Received 13 December 2023

C5 Statement confirming use of Unit 1 as 100% B8 use

Condition 32

Within one month of the new vehicular access hereby permitted first being brought into use any existing vehicular accesses on Peckleton Lane that have become redundant as a result of this proposal shall be permanently closed and reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Received 13 December 2023

C32 Planting Play Sheet 3 of 6 3665-203F - Plan to show access to be stopped up

Received 24 November 2023

C32 Proposed Site Plan

Condition 42

No individual unit hereby permitted shall be first brought in to use until a framework Travel Plan, which sets out actions and measures with quantifiable outputs and outcome targets (including the offer of a six month bus pass for all employees) for that unit has been submitted to and approved in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Received 24 November 2024

C42 Travel Plan Framework (September 2020)

Condition 44

Prior to any building hereby permitted, first being brought in to use a Travel Pack informing employees what sustainable travel choices are in the surrounding area shall be submitted to and approved in writing by the Council. The agreed Travel Packs shall then be supplied to all employees within 1 month of the first use of that building.

Email Correspondence Dated 13 December 2023

Consultees / Assessed by:

LCC Highways (LHA)

Conclusion / Summary:**Condition 5**

Proposed Site Plan (20011_PL04 Rev K) has been reviewed by the LHA and have agreed that the plan indicates the external site layout for unit 1 (and the remainder of the site) which is in accordance with Condition 36 of permission 21/00619/FUL. However, no details have been provided on the internal layout indicating 100% B8 use or any other evidence confirmation. The Agent has been advised but to date no further information has been provided and therefore the LPA is unable to discharge Condition 5 due to the interests of highway safety and in accordance with Policy DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

Condition 32

The applicant has submitted the approved landscape plan drawing titled 'Planting Plan (Sheet 3 of 6)' (drawing number 3565 Rev F) in support of the discharge of condition 32. The LHA has advised that this drawing does not provide full reinstatement details such as construction details for the footway width, kerbing arrangement, surfacing details etc in relation to the stopping up of the existing site access. The LHA therefore request that this detail is submitted in support of this application to demonstrate how it will accord with the National Planning Policy Framework (2019).

Condition 42

A Framework Travel Plan dated September 2020 has been submitted in support of Condition 42 and the LHA consulted. The LHA have advised that the document is the same as what was submitted during the original application and does not include any details, hence the condition being requested during the original application. No further details have been forthcoming and therefore the LPA are not in receipt of sufficient information to enable the condition to be discharged as it does not give any details of how they propose to reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with the National Planning Policy Framework (2019).

Condition 44

No details have been provided in support of condition 44 other than an email to state that to enable the developer to raise a purchase order for the cost for LCC Highways to provide they had to submit the application to discharge the condition. However no further information has been received since the application was submitted / validated 13 December 2023 and therefore the LPA is unable to discharge the condition as no details have been provided that demonstrate the need to travel by single occupancy vehicle and to promote the use of Sustainable modes of transport in accordance with the National Planning Policy Framework (2019).

Officer Recommendations:

Condition 5 Occupation of Floor Space – Not Discharged (Unit 1)

Condition 32 Access Closure - Not discharged

Condition 42 Travel Plan – Not Discharged (Unit 1)

Condition 44 Travel Pack – Not Discharged (Unit 1)