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**Our ref.**  
**Your ref.**

**Sent by email only**

28 October 2025

Dear Victor

**DISCHARGE OF PLANNING CONDITIONS 27, 28, 29 AND 30 OF PLANNING APPLICATION 2025/70/90105  
AT LAND OFF HERMITAGE PARK, LEPTON, HD8 0JU**

I am writing on behalf of Miller Homes ('the Applicant') to confirm the submission of information to discharge planning conditions 27, 28, 29 and 30 of planning application 2025/70/90105. For the avoidance of doubt, this is an outline application relating to the erection of 80 dwelling and associated work. Each condition is detailed below alongside the relevant information submitted to discharge the planning condition.

Condition 27

*Prior to above ground works commencing, a Biodiversity Enhancement and Management Plan (BEMP) to ensure that a biodiversity net gain is achieved post-development shall be submitted to and approved in writing by the Local Planning Authority. The BEMP shall accord with the submitted biodiversity net gain calculations dated 17/10/2022 (or amended calculations to be submitted to the Local Planning Authority) which state that the development will result in a minimum 10% net gain in habitats and a minimum 10% net gain in hedgerows. The BEMP shall also set out provisions for protected species, that are to be incorporated into the design. The BEMP shall include the following:*

- *Description and evaluation of features to be managed and enhanced;*
- *Extent and location/area of proposed enhancement works on appropriate scale maps and plans;*
- *Ecological trends and constraints on site that might influence management;*
- *Aims and Objectives of management;*
- *Appropriate management Actions for achieving Aims and Objectives;*
- *An annual work programme (to cover an initial 5-year period capable of being rolled forward over a period of 30 years);*
- *Details of the management body or organisation responsible for implementation of the BEMP;*
- *Ongoing monitoring programme and remedial measures; and*
- *Confirmation that the BEMP will be reviewed and updated every five years and implemented for a minimum of 30 years.*

*The BEMP shall set out (where the results from the monitoring show that the Aims and objectives of the BEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully*

*functioning biodiversity objectives of the originally approved BEMP. The approved BEMP will be implemented in accordance with the approved details.*

A Biodiversity Enhancement Management Plan (424.065417.00001 Rev 2) has been provided by SLR Consulting Ltd to discharge condition 27.

#### Condition 28

*Prior to the commencement of substructure works, a scheme finalising the location of the watercourse overflow swale (including a typical cross section and a maintenance and management plan) shall be submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the swale works comprising the approved scheme for the dwelling's respective phase have been completed. Thereafter the swale shall be retained and the approved maintenance and management regimes shall be implemented thereafter..*

A plan has been provided, reference 1223-139-D Eastern Boundary Land Drain and Boardwalk Detail, to address the requirements of Condition 28.

#### Conditions 29

*Prior to the commencement of substructure works, a scheme restricting the rate of surface water discharge from the site to a maximum of 13.3 litres per second shall be submitted to and approved in writing by Local Planning Authority. The drainage scheme shall be designed to attenuate flows generated by the critical 1 in 30-year storm event as a minimum requirement. Volumes generated in excess of the critical 1 in 30-year event, up to and including the critical 1 in 100-year storm event with an appropriate allowance for climate change, shall be stored on site in areas to be approved in writing by the Local Planning Authority. The scheme shall include a detailed maintenance and management regime for the storage facility including the flow restriction. There shall be no piped discharge of surface water from the development and no phase of the development shall be brought into use until the flow restriction and phased attenuation works for that phase, pursuant to the details approved via condition 14, have been completed. The approved maintenance and management scheme shall be implemented thereafter.*

The following documents have been provided to address condition 29 requirements in regards to surface water drainage:

- 1223-102-B Section 104 Layout
- 1223-114- Attenuation Basin Details Basin 1
- 1223-115- Attenuation Basin Details Basin 2
- 1223-122- Standard Drainage Details

Reference should also be made to the landscape management plan submitted with the Reserved Matters application in relation to the management arrangements of the surface water infrastructure.

#### Condition 30

*Prior to the commencement of substructure works, detailed design changes to drawings ref 1093-007 rev D and 1093-SK03 demonstrating the effects of 1 in 100 year storm critical*

*events with an additional allowance for climate change, blockage scenarios, and exceedance events, on drainage infrastructure and surface water run-off pre and post development between the development and the surrounding area, in both directions, shall be submitted to and approved in writing by the Local Planning Authority. No phase of the development, pursuant to the details approved via condition 14, shall be brought into use until the approved works within the relevant build phase have been completed. Thereafter the approved scheme shall be retained.*

The supporting Exceedance Flow Routing Plan (1233-121-B) provides the necessary storm modelling information to discharge condition 30.

I trust that the documents submitted are self-explanatory, however should you have any queries please do not hesitate to contact me.

Yours sincerely



**Sam Ruthven**  
Principal Planner