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Our ref.
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Sent by email only

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Dear Victor

DISCHARGE OF PLANNING CONDITIONS 14, 15, 20, 21, 22, 23, 24, 25 AND 26 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 14, 15, 20, 21, 22, 23, 24, 25 and 26 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 14

Prior to development commencing, a phasing plan for the development shall be submitted to and approved in writing by the Local Planning Authority. The phasing plan shall include details of dwelling buildout phases and the provision of infrastructure including, but not limited to, public open space and drainage. The development shall be implemented in accordance with the approved phasing plan.

A Construction Management Plan (Rev A) has been provided by Miller Homes which includes the necessary details required to discharge the planning condition.

Condition 15

Prior to development commencing, (including demolition, ground works, vegetation clearance) a Construction Environmental Management Plan: Biodiversity (CEMP: Biodiversity) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP: Biodiversity shall include the following:

- *Risk assessment of potentially damaging construction activities;*
- *Identification of "biodiversity protection zones";*
- *Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (these may be provided as a set of method statements);*
- *The location and timing of sensitive works to avoid harm to biodiversity features;*
- *The times during construction when specialist ecologists need to be present on site to oversee works;*
- *Responsible persons and lines of communication;*

- *The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person; and*
- *Use of protective fences, exclusion barriers and warning signs.*

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

A Construction Environment Management Plan: Biodiversity (424.065417.00001 Rev 2) has been provided by SLR Consulting Ltd to discharge condition 15.

Conditions 20, 21, 22 and 23

20. Prior to development commencing, notwithstanding the submitted information, a Phase II Intrusive Site Investigation Report shall be submitted to, and approved in writing by, the Local Planning Authority

21. Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to condition 20 further groundworks shall not commence until a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

22. Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to condition 21. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within two working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

23. Following completion of any measures identified in the approved Remediation Strategy (or any approved revised Remediation Strategy) a Validation Report shall be submitted to the Local Planning Authority. No phase of the site pursuant to the details approved via condition 14 shall be brought into use until such time as the remediation measures have been completed for the phase in accordance with the approved Remediation Strategy (or the approved revised Remediation Strategy) and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority. Where validation has been submitted and approved in phases, a Final Validation Summary Report shall be submitted to and approved in writing by the Local Planning Authority alongside the final phases' Validation Report.

The following documents have been prepared for the purposes of dealing with land contamination and discharge conditions 20, 21, 22 and 23:

- 3959OR01Rev3 - GESI Rowley Lane, Lepton

- C10281 Ground Gas Risk Assessment Letter Report April 2025.
- C10281 Hermitage Park Lepton GAR REPORT December 2024

The Phase 2 Site Investigation confirms that no remediation work is required on-site, albeit confirmation of this is sought through this application through the inclusion of conditions 21, 22 and 23.

Condition 24

Prior to development commencing within a given phase, pursuant to the details approved via condition 14, a scheme detailing the locations, cross-sections, proposed design and construction of all new surface water attenuation tanks / pipes / manholes located within the proposed highway footprint of that phase shall be submitted to and approved in writing by the Local Planning Authority. The development of that phase shall be undertaken in accordance with the approved details, which shall thereafter be retained.

A full list of engineering drawings are submitted in respect to the discharge of Condition 24 as follows:

- 1223-102-B Section 104 Layout
- 1223-105- Long Sections Sheet 1
- 1223-106- Long Sections Sheet 2
- 1223-107- Long Sections Sheet 3
- 1223-108- Long Sections Sheet 4
- 1223-109-A Long Sections Sheet 5
- 1223-110-A Long Sections Sheet 6
- 1223-114- Attenuation Basin Details Basin 1
- 1223-115- Attenuation Basin Details Basin 2
- 1223-122- Standard Drainage Details

Condition 25

Prior to development commencing within a given phase pursuant to the details approved via condition 14, a scheme detailing the locations, cross-sections, proposed design and construction of all new retaining walls / building retaining walls adjacent to the existing / proposed highways within the given phase shall be submitted to and approved in writing by the Local Planning Authority. The development of that phase shall be undertaken in accordance with the approved details, which shall thereafter be retained.

The following detail regarding retaining walls is provided to address the requirements of condition 25:

- 1223-150-C External Works Sheet 1
- 1223-151-B External Works Sheet 2

Condition 26

As part of the development of a given phase pursuant to the details approved via condition 14, remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, shall be implemented within that phase in order to ensure that the site is safe and stable for the development proposed. The intrusive site

investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

The application is supported by a Roadway Probe Investigation Report (SDL4480A Lepton - Roadway Probe Investigation Report - Sept 2025) to address the requirements of Condition 26.

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

Yours sincerely

SRuthven

Sam Ruthven
Principal Planner