

**Planning Committee 6 March 2018
Report of the Planning Manager, Development Management**

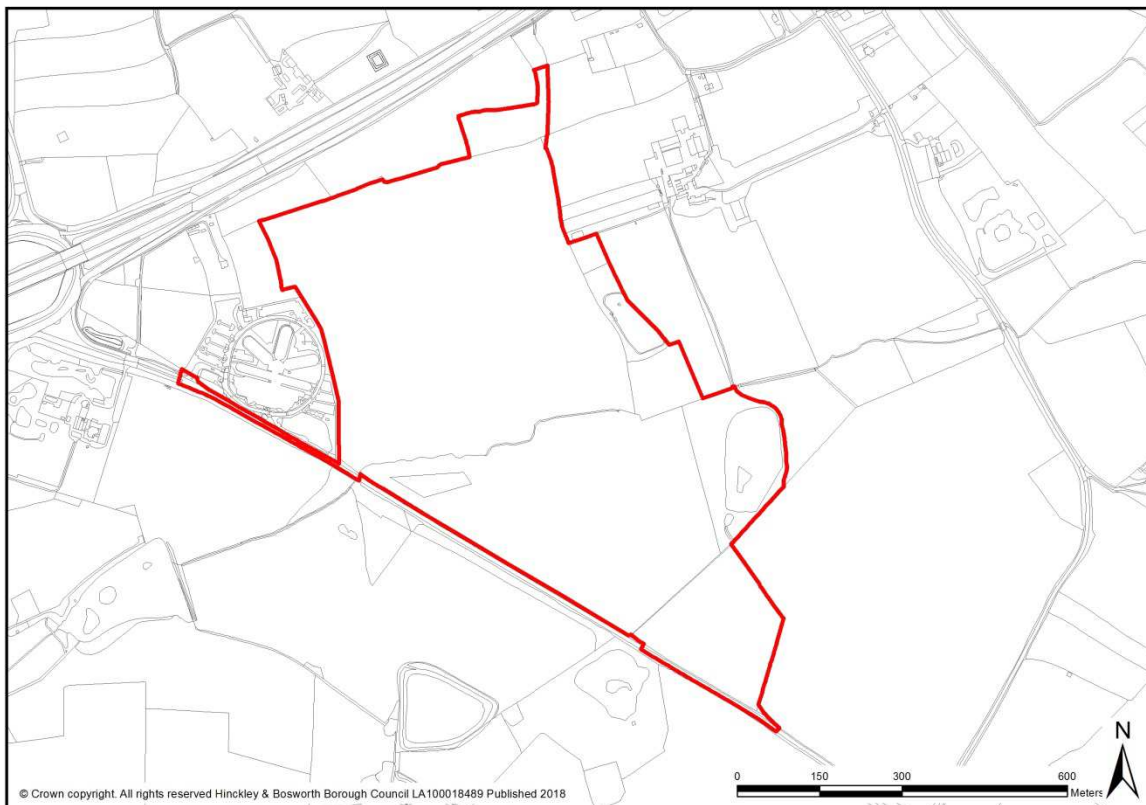


Hinckley & Bosworth
Borough Council

Planning Ref: 17/01043/HYB
Applicant: IM Properties (Development) Ltd
Ward: Burbage Sketchley & Stretton

Site: Land East Of Hinckley Island Hotel Watling Street, Burbage

Proposal: Hybrid planning application comprising: Full Application for a 29,563 sq m storage and distribution facility (Use Class B8), including ancillary offices, salt barn, tyre and vehicle storage unit, vehicle maintenance unit, canteen and security office, service yard with HGV parking, car parking, landscaping, and other associated development, a 49,470 sq m industrial / storage and distribution unit (Use Class B1c/B2/B8) including ancillary offices, service yard and HGV parking, car parking, landscaping, and other associated development, creation of a new access from the A5, internal spine road and associated infrastructure including earthworks, a new substation and substation access from the A5, and temporary construction access from the A5; Outline application with all matters reserved except for access, for up to 42,000 sq m of Use Class B1c, B2 and B8 floorspace, including ancillary offices, service yards and HGV parking, car parking, landscaping, and other associated development.



1. Recommendations

1.1. Grant planning permission subject to

- The prior completion of a S106 agreement to secure the following obligations:

Highways:-

- A contribution towards improvements to the wider highway network within Hinckley. Further details will be provided to Members as Late Item.
 - Provision of bus services and contribution towards future service. New bus stop infrastructure must include but not be limited to: bus stops, bus shelters, facilitation of Real Time Information, raised kerbs, lighting and timetable information. Further details will be provided to Members as a Late Item.
 - One Travel Pack per employee £52.85 from first occupation
 - One six month bus pass per employee at an average of £360 per pass to be offered on commencement of bus service provision on site
 - Framework Travel Plan monitoring fee of £11,337.50
 - Site Wide Travel Plan Co-ordinator to be funded and employed by the applicant from the commencement of development until 5 years following full occupation
- Provision of opportunities for apprenticeships and work experience and employment and skills related training during the construction of the development. Further details of this will be provided to Members as a Late Item.
 - Planning conditions outlined at the end of this report.
- 1.2. That the Planning Manager, Development Management be given powers to determine the final detail of planning conditions.
- 1.3. That the Planning Manager, Development Management be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

2. Planning Application Description

- 2.1. This is a hybrid application seeking full planning permission for:
- A 29,563 sq m storage and distribution facility (Use Class B8), including ancillary offices, salt barn, tyre and vehicle storage unit, vehicle maintenance unit, canteen and security office, service yard with HGV parking, car parking, landscaping, and other associated development (Zone 1).
 - 49,470 sq m industrial/storage and distribution unit (Use Class B1c/B2/B8) including ancillary offices, serviceyard and HGV parking, car parking, landscaping, and other associated development (Zone 2).
 - Creation of a new access from the A5 involving the creation of a new roundabout, internal spine road and associated infrastructure including earthworks,
 - A new substation and substation access from the A5, and
 - Temporary construction access from the A5.
- 2.2. Outline permission with all matters reserved except for means of access is sought for up to 42,000 sq m of Use Class B1c, B2 and B8 floorspace, including ancillary offices, service yards and HGV parking, car parking, landscaping, and other associated development (Zone 3).
- 2.3. The storage and distribution facility (Zone 1) is to be occupied by DPD; the scale of the proposed hub is therefore occupier driven; and has very specific requirements in terms of required length and width of the building and its relationship to ancillary buildings and hardstanding. The building would not exceed 12.5 metres in height

above floor level and it is proposed to locate this building to the east of the Soar Brook on the flattest and lowest lying plot within the site.

- 2.4. The B1c/B2/B8 unit proposed within Zone 2 has no confirmed end user, the proposed building height is designed to meet market demands, which require this size of facility to have an internal height of at least 18m clear giving the flexibility to install high level racking schemes, automation systems or multiple mezzanine levels. This gives rise to a maximum building height of 22m above floor level. It is proposed to locate this building to the west of the Soar Brook corridor where the topography is flatter.
- 2.5. During the course of the application amended plans were submitted amending the profile of the roof to Unit 2 to introduce a curved roof design.
- 2.6. Zone 3, applied for in outline is the portion to the north-west; adjacent to the M69. Two Masterplan Options have been provided for Zone 3. Masterplan option A shows an indicative layout including a range of B1(C)/B2/B8 units ranging from a terrace of small/starter units of 500-1000m² up to a stand alone unit of approximately 9000m². Masterplan B illustrates two stand alone B1(c)/B2/B8 units of around 21,000m² and 17,500m².
- 2.7. Whilst all matters apart from means of access are reserved for subsequent approval, a parameters plan has been submitted for Zone 3 which shows:
 - A maximum floor area of 42,000m²
 - A maximum height of roof to be 19m and minimum height of 7m
 - Materials and design concepts aimed at minimising the impact of these buildings would be similar to those utilised in Zone 2.
- 2.8. The delivery of the site for DPD requires the additional 'enabling development' (Zones 2 and 3) to support the viability of the DPD proposals and to dilute the up front infrastructure costs of providing the new site access roundabout and delivering services to the site.
- 2.9. Viability information to support this position was submitted and independently reviewed, confirming that the scale of enabling development is required to ensure that the development is viable.
- 2.10. A two metre wide access path to provide a new cycle and pedestrian access would be provided into the site from the A5 adjacent to the south-eastern corner of the Jurys Inn Hotel.
- 2.11. The proposal is EIA (Environmental Impact Assessment) development under the Town and Country Planning (EIA) (England and Wales) Regulations 2017. For the sake of clarity it should be noted that transition arrangements specified in the newly adopted regulations require that schemes that made a formal request for a 'scoping opinion' before the new regulations came into force should be considered under the Town and Country Planning (EIA) Regulations 2011. The Scoping Opinion was submitted on 15th May 2017, it is therefore the 2011 Regulations (as amended) that apply to this application and the ES.
- 2.12. An Environmental Statement (ES) has been produced to examine and evaluate the likely environmental effects of the development as required by Schedule 2 (Urban Development Projects of over 5 hectares in size) of the Regulations. The ES contains the information necessary to enable a decision to be made for the purpose of assessing the significant environmental effects of the development. The ES includes the following topics:
 - Transport

- Hydrology
 - Ecology and Nature Conservation
 - Landscape and Visual Assessment
 - Air Quality
 - Noise
 - Built Heritage
 - Archaeology
 - Socio-Economics
 - Agricultural Land and Soils
- 2.13. For each issue identified the ES sets out the methodology used, including details of the baseline situation and impacts likely to result from the proposed development. All potential effects have been analysed and assessed against the baseline and measures considered so as to mitigate any identified impacts. The potential for cumulative impacts has also been assessed.
- 2.14. The non technical summary document comprises a summary of the findings which the general public and non technical experts can understand.
- 2.15. The scheme would provide a number of benefits to the local area and the wider Borough which are set out below:

Key Benefits

During Construction

- Estimated construction expenditure of approximately £100 million, generating wider benefits for the supply chain
- 280 gross direct FTE jobs per annum of construction
- 105 direct Full Time Equivalent jobs in Hinckley and Bosworth
- Total contribution of around £20.2 million in GVA to the local economy during construction.

Operational Phase

- Creation of 2,395 gross direct jobs on site through provision of new commercial floorspace
- 895 net direct FTE jobs will be held by Hinckley and Bosworth residents
- 225 indirect/induced FTE jobs will be held by Hinckley and Bosworth residents
- Annual contribution of £48.7 million in GVA economic output across the Borough
- Creation of a range of managerial, professional, skilled trades and administrative jobs
- £24.9 direct wage expenditure per annum and £5.8 million indirect wage expenditure per annum in Hinckley and Bosworth; and
- Retention of approximately £3.5 million in additional business rate revenue annually by Hinckley and Bosworth Borough Council.

3. Description of the Site and Surrounding Area

- 3.1. The site is located approximately 4 kilometres south of Hinckley; adjacent to junction 1 of the M69 motorway where it meets the A5 trunk road. Immediately to the west of the site is the Jurys Inn Hotel which is accessed directly from the A5. The site comprises a range of arable fields on the north eastern side of the A5 with approximately 800 metres fronting directly onto the trunk road itself. The Soar Brook watercourse forms a green corridor through the site bisecting it in an east-west orientation. The eastern edge of the site is defined by the edge of existing fields and two existing water bodies in the form of a pond and lake.

- 3.2. Around 200 metres to the north east of the site is Burbage House; a residential property with a range of farm buildings adjacent. Further residential properties are located to the north, accessed from Workhouse Lane.
- 3.3. The levels across the site vary significantly, with Soar Brook being the lowest point. The land to the north is the steepest gradient, with a rise of around 14 metres towards the northern boundary, near the M69. South of the brook the land rises by six to eight metres, towards the boundary fronting the A5.
- 3.4. Within the site there are a number of trees and existing hedgerows which are not protected by a tree preservation order.

4. Relevant Planning History

17/00473/SCOPE	Environmental Impact Assessment - Screening and Scoping Opinion for the development of land for an employment park comprising Use Class B1c, B2 and B8 floorspace, including ancillary office floorspace, new vehicular access from the A5, internal spine road, car parking, pedestrian and cycle routes, drainage infrastructure, lighting and soft and hard landscaping.	Opinion Issued	07.07.2017
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5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. Three site notices were also posted within the vicinity of the site and a notice was displayed in the local press. 78 letters of representation have been received from 68 separate addresses, raising the following concerns.

- 1) Impact on existing traffic problems
- 2) Impact on local resources
- 3) Infrastructure not sufficient to support this development
- 4) Impact on village feel
- 5) Warehouse jobs not required locally
- 6) Promises of increasing employment and training may not be realised
- 7) Impact on Jurys Inn hotel
- 8) Environmental impact
- 9) No need for industrial development given empty units/other sites/existing DPD presence in Hinckley
- 10) Noise, water, air and light pollution
- 11) Impact on wildlife
- 12) Impact on Soar Brook
- 13) Potential for flooding
- 14) Loss of hedgerows, trees and woodland

- 15) Impact on Workhouse Lane and Burbage House Estate
- 16) Danger to pedestrians and other road users
- 17) Lack of adequate access to site on foot/on bike
- 18) Contrary to Policy DM4
- 19) Loss of agricultural land
- 20) Lack of consultation on application
- 21) Contrary to emerging Burbage Neighbourhood Plan
- 22) Would set a precedent
- 23) Possible site of last battle of Boudica

Two letters in support and one which neither objected to nor supported the application were received, raising the following points.

- 1) Conditions should be imposed prohibiting vehicular access during construction and subsequent operational phase via the southern part of Workhouse Lane
- 2) Upkeep of proposed landscaping should be required in perpetuity
- 3) Scheme should include some residential development
- 4) Support the pro-active stance the applicants have taken
- 5) Broadly support the application but have concerns regarding the cumulative impacts of this and other development approved locally in terms of traffic
- 6) Minimise noise and light pollution
- 7) The routes used should be conditioned as part of the planning permission

Re-consultation was carried out following revisions to the design of the roof profile for Unit 2 (Zone 2) to incorporate a curved roof. Following this consultation; eight further letters of objection were received, raising the following points.

- 1) Revised plans do not address the traffic issues with the proposed development
- 2) Negative effect on environment and nature
- 3) Increased noise and air pollution
- 4) Green field site; impact on environment and wildlife
- 5) Poorly timed submission of amended plans during Christmas break
- 6) Has DPD considered the alternative site which is not on green fields near to a small village
- 7) Unlikely to achieve any of the aims re increasing employment and offering training
- 8) Empty premises on existing industrial estates should be used
- 9) Well known accident black spot

A letter of support was also received; reiterating points raised in response to the original consultation.

A further period of re-consultation was carried out following the receipt of amended plans responding to comments received by Highways England. At the time of writing, no responses had been received in response to this.

6. Consultation

6.1. No objection, some subject to conditions have been received by:

Natural England
 Environment Agency
 Historic England
 Highways England
 Leicestershire County Council (Ecology)
 Leicestershire County Council (Archaeology)
 Leicestershire County Council (Flooding) (Lead Local Flood Authority)

Leicestershire County Council (Minerals)
HBBC Environmental Health (Pollution)
HBBC Environmental Health (Drainage)
HBBC Waste Services
HBBC Conservation Officer
HBBC Arboricultural Officer
Rugby Borough Council
Cadent
HBBC Compliance and Monitoring Officer
BT Openreach

6.2. The Ramblers Association has no comments on the application.

6.3. No response was received from:

Cycling UK
Leicestershire Police
Blaby Borough Council

6.4. Burbage Parish Council raise the following objections to the proposed development:

- 1) Loss of open countryside
- 2) Proposed roundabout access is inadequate and will detrimentally impact traffic flow
- 3) Other sites more suitable and would have less impact
- 4) Would not complement the existing hotel or provide amenity for visitors to enjoy
- 5) Impact on existing traffic problems
- 6) Cycle improvements required around the M69 junction
- 7) Paladin fencing unattractive/vandal proof, better fencing required on the bund along the road way and use of more natural features i.e. hedge planting and fencing more in keeping with the open countryside
- 8) LCC Archaeologist report should be checked for necessary measures and protection required as the site is over Palaeolithic Archaeology
- 9) Loss of wildlife habitat and pollution of environment
- 10) Opportunity for the creation of a marsh area along the brook is not explored.
- 11) Creation of wild flower areas with more fruiting trees and species of plant that provide pollen for a longer season would be welcomed
- 12) Owl, bird and bat boxes needed; together with lighting that reduces light pollution that will be generated as a result of the over night business use

6.5. Burbage Neighbourhood Plan Group raises the following objections to the proposed development:

- 1) Contrary to Policy 1 of the emerging BNP as it would be located outside of the settlement boundary thus in an inappropriate location which would increase traffic flow to the A5 and have a massive impact on the countryside
- 2) No cycleway/footway close to planned development therefore only access is by motor vehicle
- 3) Two sites (32 and 33 in BNP) have been listed as Ecological and Historical Interest

7. Policy

7.1. Core Strategy (2009)

- Policy 4: Development in Burbage

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM20: Provision of Employment Sites

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Employment Land and Premises Study and Review (2018)
- Landscape Character Assessment and Landscape Sensitivity Assessment (2017)
- Draft Burbage Neighbourhood Plan (BNP) 2015-2026

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character of the area
- Impact upon neighbouring residential amenity
- Highways Considerations
- Impact upon Heritage Assets
- Impact upon Ecology
- Impact upon Drainage and Flood Risk
- Land Contamination and Pollution
- Developer Contributions and Obligations

Assessment against strategic planning policies

- 8.2. Paragraphs 11-13 of the National Planning Policy Framework (NPPF) state that the development plan is the starting point for decision making and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies Development Plan Document DPD (SADMP).
- 8.3. The emerging Burbage Neighbourhood Plan is still in development; not yet having been submitted to the Local Planning Authority for comment prior to Examination by an Inspector and subsequent referendum. Therefore, only very limited weight can be afforded to the policies within this document at this time.
- 8.4. The Core Strategy (2009) sets out the overarching spatial strategy for the Borough. In terms of Development in Burbage (Policy 4) the relevant part of this policy to the application is to ensure there are a range of employment opportunities.
- 8.5. Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the

development plan should be approved without delay unless material considerations indicate otherwise.

The application site is located outside any defined settlement boundaries, and is therefore situated within the countryside. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development and identifies several criteria outlining where development in the countryside can be considered to be sustainable. The policy identifies that development in the countryside can be considered sustainable where proposed development would significantly contribute to economic growth, job creation; subject to it meeting further detailed criteria; namely that the development would not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and it does not undermine the physical and perceived separation and open character between settlements; and it does not create or exacerbate ribbon development.

- 8.6. As outlined within the key benefits section above; the proposed development would significantly contribute to job creation and economic growth and is therefore in accordance with Criterion c) of Policy DM4 of the SADMP, subject to satisfying the detailed design criteria with the Policy.
- 8.7. The SADMP acknowledges that although sufficient employment land is available in the Borough to support the identified growth of the plan period it is important that employment opportunities are not stifled. Policy DM20: Provision of Employment Sites applies to this application and sets out that proposals which stand outside the settlement boundary and on greenfield sites will only be found acceptable where it is demonstrated that there are no suitable alternative sites identified sequentially in the following locations:
 - Within settlement boundaries
 - On previously developed land
 - Adjacent to existing employment sites
 - Adjacent to settlement boundaries
- 8.8. The Employment Land and Premises Review (2013), is currently being updated and at the time of writing, this work was due to be finalised during February 2018. Whilst The Employment Land and Premises Study (ELPS) has not received final sign off by Members of the Council the findings from this Study are pertinent to this planning proposal and will be an important consideration in the determination of the planning application.
- 8.9. The emerging ELPS will form a key part of the evidence base for the new Local Plan for the period 2016 to 2036. A key focus for the emerging ELPS is the need to ensure that sufficient suitable employment sites are provided to achieve long term economic growth. The Study provides an assessment of the current position and recent trends within the Borough's economy, and the potential scale and type of future economic growth and business needs. The forthcoming ELPS has been informed by the results of HEDNA, produced on behalf of the Leicester and Leicestershire Authorities and the Leicester and Leicestershire Enterprise Partnership in January 2017. The HEDNA provided employment land requirements, both local and strategic, for Hinckley and Bosworth Borough over the period to 2036. The emerging ELPS reassessed these figures to distinguish between local and wider needs for employment land, broken down into land, floor space and jobs for specific B-Class uses.

- 8.10. The Study found that there is particularly high market demand for large scale B8 logistics space, reflecting the Borough's transport links and location at the heart of the logistics sector's 'golden triangle'. This demand is focused on prime sites in close proximity to the motorway network. Hinckley and Bardon Hill are the Borough's focus of market demand for the logistics sector due to their proximity to the motorway network. The document highlights that sites need to be of a sufficient size to achieve economies of scale to respond to the demands of the logistics sector, and businesses require modern facilities, for example with high bay access.
- 8.11. The quantitative and qualitative analysis in the Study identifies that there is a need for new employment land allocations within the Borough and the table below sets out the recommended employment land portfolio contained within the emerging ELPS.

Table 8.1 Emerging employment land portfolio recommendations

Recommendation	Sites	Ha
Retain New Employment Sites	1	9.29
Retain and protect Existing Employment Sites	54	82.63
Other sites with extant planning permission for employment use to be retained (not assessed as part of this ELR)	9	0.47
Barwell and Earl Shilton Sustainable Urban Extensions - employment land	2	10.70
Existing New Employment Sites to be released from employment use	0	0.00
Existing Employment Sites to be released	3	0.00
Adjusted Existing Employment Land Supply	66	103.09
Potential new sites recommended to be allocated for B-Class employment uses	2	99.40
Potential new sites recommended to be allocated / retained for mixed use development*	3	14.96
Potential sites not recommended to be taken forward	4	44.55
Final Recommended Employment Land Portfolio	71	217.45

Source: Lichfields' analysis

- 8.12. The emerging ELPS assessed a number of sites which are not currently allocated, do not benefit from extant planning permission for B-Class employment development and are not part of any committed employment site. The planning application site was assessed as part of a larger potential site and the findings are as follows:
- '2 Land between A5 and M69 (AS1009), 96.52 ha (gross) 67.06 ha (net), overall rating 'very good' – this large greenfield site is located adjacent to the Hinckley Island hotel at junction 1 of the M69 which gives it excellent accessibility to the motorway network. The site was suggested in the call for sites process of the 2017 Strategic Housing and Employment Land Availability Assessment (reference AS1009). The site is recommended to be allocated for employment use given its attractive location at the heart of the logistics sector's 'golden triangle' and relatively limited development constraints. The site could accommodate some of the sub-region's need for strategic B8 space (and could accommodate other B-Class space).'*
- 8.13. The emerging ELPS therefore recommends that this site is allocated for employment use through the Local Plan process. In light of the sequential assessment provided, and the findings of the ELPS it is considered that the development proposed is acceptable in principle at this location subject to considerations of other material considerations.
- 8.14. In addition, the EIA regulations also require an ES to include an outline of the main alternatives considered by the applicant, indicating the main reasons for the choice made, taking into account the environmental effects. The applicant has submitted a

sequential assessment which considers alternative sites. The assessment concludes that the proposal could not be accommodated within existing settlement boundaries and that given the scale of the site it would not be possible to accommodate it on any available previously developed land, adjacent to existing employment areas or adjacent to settlement boundaries and therefore complies with Policy DM20 of the SADMP.

- 8.15. The NPPF identifies that where significant development of agricultural land is demonstrated to be necessary, areas of poor quality land should be use in preference to higher quality. This development would result in the loss of approximately 46 ha of agricultural land, 20% of site is Grade 2 (very good); 58.8% is Subgrade 3a (Good) and 19.7% Subgrade 3b (Moderate) in the Agricultural Land Classification (ALC) system).
- 8.16. It is recognised that a proportion of the agricultural land affected by the development will remain undeveloped. In order to retain the long term potential of this land and to safeguard soil resources as part of the overall sustainability of the whole development, the applicant has committed to mitigation as much as possible against the permanent loss of Best and Most Versatile soil with the creation of a Soil Resource Plan to determine the most appropriate re-use of topsoils and a Soil Management Plan to ensure that soils that are re-used abide by best practise in accordance with the provision of the NPPF.
- 8.17. Given the quality of this land; and preferable location compared to other greenfield sites which could involve loss of best and most versatile agricultural land it is considered that the proposal is acceptable.
- 8.18. The proposed development would make a significant contribution to economic growth and job creation within the Borough; in addition, the applicant has satisfactorily demonstrated that there are no suitable alternative employment sites to accommodate the location requirements for DPD or the enabling development within existing settlement boundaries, on previously developed land; adjacent to existing employment areas or adjacent to settlement boundaries. It is considered therefore that the proposed development would be in accordance with Policies DM4 and DM20 of the SADMP.

Impact upon the character of the area

- 8.19. Policy DM4 of the SADMP seeks to ensure proposals for development within the countryside reflect the surrounding character of the countryside, and protect its intrinsic value, beauty and open character.
- 8.20. The application site falls within the Burbage Common Rolling Farmland Character Area as detailed within the Landscape Character Assessment (2017). The document notes that the landscape around this area is influenced by large scale infrastructure such as the M69 and railway which introduces noise and movement in a relatively rural landscape. It also highlights that there are extensive views across agricultural fields and successive hedgerows are common as a result of the relatively few trees, and consequently the urban edges of Hinckley, Burbage, Barwell and Earl Shilton are often starkly visible as a result of their elevated ridgeline location and the relatively open settlement edge. Because of this extensive visibility and long distance views the area is sensitive as any change or development has the potential to be widely visible. This leads to the landscape strategy of ensuring any new and existing development is integrated into the landscape such as ensuring built form is orientated to provide broken rooflines and integrated with woodland copses. It also suggests strategic scale woodland planting should be considered to help screen development.

- 8.21. The Landscape Sensitivity Assessment (2017) provides a general overview of comparative landscape sensitivity around key settlements based on landscape character. The application site falls within Sensitivity Area 9: Land south of M69. This area is considered to have a medium high sensitivity to residential and commercial development due to the strong rural character with intact historic features which is detached from the existing settlement and creates separation from Burbage and smaller villages within Blaby District. There are minor urbanising features such as the A5 and the M69 and it has strong separation from Burbage which results in the site having wide intervisibility with the surrounding landscape. Development within this area would 'leapfrog' the M69 and be disassociated with the existing development form.
- 8.22. The Landscape Sensitivity Study sets out the following guidance to new development within the area:
- Consider the importance of existing levels of landscape visibility in the siting and design of new development and incorporate screening to existing and potential future visual detractors where appropriate and ensure any new built development is well integrated into the landscape
 - Seek to retain historic field patterns and conserve and enhance the character of the historic parkland in and around Burbage House
 - Retain the pattern of hedgerows and trees and incorporate further buffer planting to major transport corridors
 - Maintain the separate identity of Burbage
 - Consider opportunities to create and promote an integrated green infrastructure network around the Burbage, Hinckley, Barwell and Earl Shilton urban edge.
- 8.23. A Landscape and Visual Impact Assessment (LVIA) has been carried out by the applicant and comprises a combination of desk top and field studies. As part of this assessment, wireframes and photomontages were included to illustrate the likely effect views from key receptors. The LVIA acknowledges that there would be some significant adverse effects on landscape and visual amenity in both the short and long term and has sought to mitigate this through the landscaping proposals for the site.
- 8.24. The parkland to the former Burbage House to the north of the site includes intact parkland features in the form of designed ponds, specimen trees and sheep grazing. It could be considered to be a historic landscape of local heritage significance. The proposed development in this part of the site would not change the layout of the parkland and would be restricted to earthwork bunds, which would not remove any features such as the trees and would preserve Burbage House Lake and surrounding trees. The hedgerows which define the extent of the parkland are to be retained, further native hedgerow and tree and wood planting is to take place. HBBC's Conservation Officer is satisfied that the landscaping scheme proposed for the former parkland area has had regard to the character and local significance of the historic landscape, as required by Policy DM11 of the SADMP, and it also successfully incorporates those surviving features that are the most sensitive in terms of historic character, as well as proposing new appropriate features, which is in adherence to the Borough Council's recently updated Landscape Character Assessment (with associated Landscape Sensitivity Study).
- 8.25. The proposed buildings; particularly in Zone 2 are of a very large scale and will take some time to be absorbed into the landscape from certain directions and will remain a permanent feature from others. However, the proposed graduated colour of the cladding would help to assimilate the scheme into the landscape setting to a degree, together with the proposed landscape works to the perimeters. In

landscape and visual terms the scheme as proposed is not considered to be unacceptable. Whilst there would be some significant short and long term effects on landscape character and visual amenity this is only to be expected for a development of this scale in a countryside location and this harm must be balanced against the public benefits which would be provided as part of this development. In respect of criterion ii to v of Policy DM4, it is considered the proposed development will not undermine the physical and perceived separation and open character between settlements, it is not considered the proposals will create or exacerbate ribbon development, and the proposals are not located within a Green Wedge or the National Forest.

- 8.26. The proposals would deliver a number of key benefits to the local area and wider Borough as outlined earlier in the report. It is therefore considered that whilst there will be a degree of conflict with criterion i of Policy DM4 of the SADMP, other material considerations, including the economic benefits of the proposed development, the proposed landscape mitigation and the absence of harm when considered against other policies of the adopted development plan, outweigh the harm to the open countryside.

Siting, Design and Layout

- 8.27. Policy DM10 of the SADMP requires developments to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.
- 8.28. The scale of the proposed DPD hub is occupier driven; and has very specific requirements in terms of required length and width of the building and its relationship to ancillary buildings and hardstanding proposed. The hub would have a maximum height of 12.5 metres above floor level and it is proposed to locate this building to the east of the Soar Brook on the flattest and lowest lying plot within the site. All the buildings within Zone 1 would be co-ordinated in terms of materials, so it would be held together as one cohesive development. The cladding colour would be light grey, which is recessive against the sky backdrop, drawing attention away from the higher level of the building.
- 8.29. The massing of the building would be broken up vertically with various elements including loading docks and doors and a continuous canopy which would create a strong horizontal shadow line along the length of the building. Vertical sections of polycarbonate glazing at high level on the long elevations would further break up the mass of the long facades, running between sections of vertical colour-coated cladding. The eastern elevation is most visible on the approach from the A5, so a curved gable is used to this prominent office elevation. Glazing and access doors would also bring human scale to this frontage.
- 8.30. The developer has provided a statement which seeks to justify the parameters for the proposed units within Development Zones 2, 3A and 3B. The scale parameters proposed need to be flexible to cater for distribution and manufacturing uses. It is noted that modern day industrial and warehouse buildings are very different to buildings of the past, both in terms of the design and fabric of the buildings and the technology used within them. More efficient racking methods, the increased use of multi-tier mezzanines and introduction of automation has led occupiers to demanding taller buildings.
- 8.31. The Unit 2 building is proposed to be a portal steel frame construction with a curved roof. It would have a maximum height of 22 metres above floor level. In order to break up the mass of the façade semi detached office elements are proposed which would sit out from the main block of the building. This is designed to focus attention on these elements, with the main building being more recessive. Further treatment

to reduce scale and bulk is proposed through the use of contrasting colours with further detailing at lower levels where the loading docks and doors draw attention and focus. The use of lighter cladding at high level would reduce the impact on mid/distant views from the Burbage direction and merge against the sky backdrop. The use of slate grey cladding at high levels to the Eastern elevation would respond to the views of this building from Lutterworth Road and Workhouse Lane; the building would sit as a backdrop to existing landscape to these views, so this cladding would merge more comfortably, reducing impact. The projecting main office block addresses the main approach into the Unit 2 plot with glazing over three storeys and the main entrance giving orientation and human scale.

- 8.32. A general design code for buildings within Zone 3 is proposed. The buildings within this Zone would have a minimum height of 7 metres and a maximum height of 19 metres. Materials and design concepts aimed at minimising the impact of these buildings would be similar to those utilised in Zone 2.
- 8.33. The detailed design, siting, appearance and layout of Zone 3 are reserved matters, however, from the indicative layouts submitted a well designed development laid out to minimise impact on the character of the surrounding area and neighbouring hotel can be achieved. A condition is included to ensure reserved matters are in accordance with the principles and parameters described in the Design and Access Statement. Open space and landscaping would be carefully considered as part of any reserved matters submission to ensure that the development would assimilate into its surroundings.
- 8.34. The design of the buildings proposed in zone 1 and 2 are contemporary and modern and are designed to balance the needs of future employment uses against the requirement to mitigate the impact on the surrounding countryside. The proposed development is therefore considered to comply with the requirements of Policy DM10 of the SADMP.

Trees and Landscape

- 8.35. The landscaping proposed is impacted by the parameters for the buildings required to accommodate the proposed use; particularly in the case of the DPD building which has very specific requirements in respect of size and shape and operation and configuration of external areas. The applicants have sought to assimilate the development into the surrounding landscape utilising existing levels and landscaping.
- 8.36. In order to minimise the impact on the A5, the proposed DPD plot has been set back 10 metres and generally lower than existing ground level. This has allowed a large percentage of mature tree cover to be retained. The existing fragmented agricultural style hedge is to be managed, infilled and supplemented with extra heavy tree planting to create a strong tree lined boundary along the A5 route. In addition to the rear of the hedge a linear belt of woodland planting will establish to create a dense zone of native planting which will serve to both soften views into/across the site whilst also providing an important ecological corridor linking back into the Soar Brook. The belt of woodland planting will include 20 no. 2 – 2.5m pine trees, which provide some instant evergreen screening from day one.
- 8.37. The proposals comprise the introduction of a hedge together with tree planting which will, once matured; provide a dense visual buffer at low level (up to 2 metres) with filtering of views above this by the trees. As this belt establishes and the branch/canopy structure begins to merge, the filtering effect will naturally increase and provide effective screening of the site, particularly for car users.

- 8.38. Unit 2 would have a maximum height of 22 metres above floor level and is positioned over 55m in distance from the boundary of the Jurys Inn Hotel. The area between Unit 2 and the hotel boundary would be profiled to create an undulating bund. A native hedge is proposed with a pallet of mixed native woodland species to be planted on the outward facing slopes. This would serve to establish woodland corridor which over time would soften views in and out of the development. Whilst it is acknowledged that this bund will initially appear an unnatural feature in this generally flat rolling landscape, this will soften over time as indicated in the photomontages at year 1 and year 15.
- 8.39. Significant landscaped bunds have been incorporated within the landscaping scheme in other areas including along the south western boundary providing screening for the Jury's Inn Hotel and the north eastern boundary which provides screening to the residential properties to the north east of the site. Landscaping to the North West boundary will be covered at reserved matters stage; however these plots will be set down lower than existing ground levels along the boundary reducing visual impact when viewed from Burbage.
- 8.40. A general design code for buildings within Zone 3 is proposed. The buildings within this Zone would have a minimum height of 7 metres and a maximum height of 19 metres.
- 8.41. A planting zone ranging between 12 and 17 metres in width would be provided to the north western boundary of the site with native planting proposed to enhance the existing native hedge which varies from 2.5 to 7 metres tall. It is envisaged that as this establishes it will begin to break up the massing of the building elevations when viewed from the residential area to the north of the M69.
- 8.42. In addition, as part of the landscape proposal the Soar Brook corridor is to be retained and enhanced.
- 8.43. Existing trees on and adjacent to the site were surveyed by the Tree and Woodland Consultancy in accordance with BS5837:2012 "Trees in Relation to Design, Demolition and Construction – Recommendations". A pre-development tree survey (PDTS) and schedule have been submitted in support of the application considering any impact that the development proposal may have upon the surrounding trees and providing any mitigating measures.
- 8.44. The submitted Arboricultural Impact Assessment indicates 8 individual mature trees which are to be removed and 66 to be retained; mainly around the perimeter. Additionally 1 mature woodland tree group is to be removed near the west end of the A5 boundary. The scheme proposes the removal of 1 Category A tree, 6 Category B trees and 1 Category C tree. Whilst ideally these trees would be retained as part of the development the applicant has provided justification in terms of the overall design of the scheme; and the constraints that this type of development brings. In addition, the access proposed, which will result in the loss of two trees is dictated by the size and configuration of Zone 1 necessary to accommodate the DPD requirement as well as Highways England requirements and cannot therefore be amended to allow for the retention of the tree. As part of the mitigation for the tree and hedgerow loss a significant belt of native planting has been proposed along the A5 including re-instatement of missing/lost sections of hedgerow and supplementary tree planting.
- 8.45. Greater diversity in terms of species mix to improve sustainability and avoid monotony was requested by the HBBC Arboricultural Officer and proposals have been amended to incorporate these suggestions. The percentage of evergreen species within the shelterbelt mix has been increased from 10-15% and 20no. 2-

2.5m tall pine trees have been introduced. The design intent is that this would provide some instant evergreen screening from day one and as these establish and begin to increase in height the lower understorey of native planting would then also begin to create a dense belt of planting that would filter views of the service yard from below the canopy line.

- 8.46. Whilst there will be some significant effects in terms of landscape and visual impact associated with the proposed development, these effects are to be expected as a consequence of developing a greenfield site. The landscape strategy for the development has sought to retain and enhance existing landscape features where possible and augment this with significant new landscape planting. In addition, the development has utilised the existing topography of the site and sought to locate the built development within the lowest lying sections of the site.
- 8.47. As set out above; the development proposed in zone 1 and 2 has been designed in a contemporary and modern style; utilising materials and colours to reduce and mitigate the impact on the countryside. In balancing the needs of future employment uses against the requirement to mitigate the impact on the surrounding countryside; it is considered that the impact on the landscape is outweighed by the benefits that the proposed development would provide and it is therefore considered to be in accordance with Policy DM10 of the SADMP. As set out earlier in this report, whilst there will be a degree of conflict with criterion i of Policy DM4, other material considerations, including the economic benefits of the proposed development, the proposed landscape mitigation and the absence of harm when considered against other policies of the adopted development plan, outweigh the harm to the open countryside.

Heritage

- 8.48. Policies DM11, DM12 and DM13 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Proposals which adversely affect a scheduled monument or its setting should be wholly exceptional and accompanied by clear and convincing justification. Where a proposal has the potential to impact a site of archaeological interest, developers should set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset.
- 8.49. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. The Ancient Monuments and Archaeological Area Act 1979 provides the regime for the scheduling of monuments, although it does not address the concept of setting.
- 8.50. Section 12 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting (paragraph 128).

- 8.51. Paragraph 129 of the NPPF states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. It goes on to state that They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- 8.52. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification, and it is recognised that significance can be harmed or lost through development within a heritage asset's setting (paragraph 132). In many cases non-designated heritage assets are components within the setting of a designated heritage asset and the NPPF indicates the need to take into account of their significance under the planning process (paragraph 135).
- 8.53. The ES includes assessments of the impact on the proposal on archaeology, built heritage and the landscape.
- Above ground heritage assets
- 8.54. The extent of the assessment of the proposal on the built (above ground) heritage was agreed at the scoping stage of the application, with the study area being the application site and a radius of 1km from the site. Additionally, due to the potential for visibility or impact upon heritage assets beyond this study area, baseline information was obtained for designated heritage assets located at Aston Flamville and Wigston Parva, which includes two conservation areas and a number of listed buildings within each area. The assessment establishes the relative value or importance of the heritage assets in the study area, and then assessed this against the magnitude of impact of the proposal to determine the significance of the potential effects against each asset.
- 8.55. There are 16 grade II listed buildings within the study area, but none within the application site. The closest to the site boundary are the former north and south lodges to Burbage House and the milestone on Lutterworth Road. Burbage Conservation Area is located within the study area, and Aston Flamville and Wigston Parva Conservation Areas have been included for landscaping considerations. Excluding archaeological remains, two non-designated heritage assets were identified within the study area. Both the construction and operational phases of the development have been assessed, with the conclusion that both phases will have an imperceptible impact on the heritage assets within the study area, resulting in a negligible overall effect on the significance of the heritage assets, and subsequently causing them no harm. This is due to the distance between each asset and the application site and intervening topography and trees, and that there is no known functional or historic relationship between the assets and the application site. HBBC's Conservation Officer agrees with the conclusions of this assessment, therefore it has been demonstrated that the proposal is compatible with the setting of the nearby listed buildings and non-designated heritage assets and it preserves the character and appearance and thus significance of the nearby conservation areas. In this regard, the proposal complies with Policies DM11 and DM12 of the SADMP DPD, section 12 of the NPPF (paragraphs 132 and 135), and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Below ground heritage assets

- 8.56. The extent of the assessment of the proposal on archaeology was discussed during the scoping stage of the application, with input provided from the Leicestershire County Council Historic and Natural Environment Team. The scope of the assessment includes the potential for direct effects on Palaeoarchaeological and archaeological remains, and the historic landscape, and the potential for indirect effects on designated (non-built) heritage assets. The assessment establishes the sensitivity of the heritage assets in the study area, and then assesses this against the magnitude of impact of the proposal to determine the significance of the potential effects against each asset.
- 8.57. Three scheduled monuments are located within 2km of the application site. Some artefact finds are contained within the site, and the site is located on the route of the Roman road of Watling Street. Within the site, the Historic Landscape Characterisation Study for Leicestershire records the eastern part of the application site as “parks and gardens”, being part of the parkland to the former Burbage House. Both the construction and operational phases of the development have been assessed, with the conclusion that there would be no significant effects on Palaeoarchaeological remains, a potential moderate adverse effect on archaeological remains that would have a significant impact without any mitigation, and a negligible effect on the parkland to Burbage House, with comments on the impact of the proposals on the historic landscape provided below.
- 8.58. The assessment suggests that it is unlikely that any archaeological remains are present within the site that would pose any barrier to the proposed development. However, the nature, extent, and quality of survival of archaeological remains within the site cannot be fully understood without some further investigation. The archaeological potential of the site is being tested by a programme of archaeological evaluation, as agreed in conjunction with the Leicestershire County Council Historic and Natural Environment Team. HBBC’s Conservation Officer agrees with the conclusions of the archaeological assessment, in that likely effects on the heritage significance of archaeological heritage assets in the vicinity of the site, through changes to their setting, would be negligible. In this regard, the proposal complies with Policies DM11, DM12 and DM13 of the SADMP DPD and section 12 of the NPPF (paragraphs 132 and 135). There is the potential for impact on archaeological remains within the site; this is subject to the programme of archaeological evaluation being undertaken as advised by the Leicestershire County Council Historic and Natural Environment Team. A condition is proposed which would ensure that no development takes place within the proposed excavation areas until a programme of archaeological fieldwork has been undertaken according to a Written Scheme of Investigation to be submitted and approved by the Local Planning Authority. This will ensure that any effects on archaeological remains as a result of the development will not be significant. Subject to this and any subsequent recommendations being appropriately actioned the proposal will comply with Policy DM13 of the SADMP DPD and the relevant paragraphs of section 12 of the NPPF.

Other items for consideration

- 8.59. During the consultation period two outstanding items for consideration have been identified by Historic England.
- 8.60. The first concerns further information being required to demonstrate that an assessment of impact on the scheduled monument known as the Roman town of High Cross has been undertaken. This scheduled monument is located just over 2km distance from the eastern boundary of the application site, and despite its relative proximity it appears never to have formed part of the scope of archaeological assessment in discussions between the developer and

Leicestershire County Council Historic and Natural Environment Team (plus other relevant stakeholders/consultees). This does not mean it is not of interest and would not be impacted upon by the proposal, so a further assessment has been completed and summarised in comments received by the applicant dated 16 February 2018.

- 8.61. The Roman town of High Cross comprises below ground archaeological remains of a Roman settlement at the crossroads of Watling Street and Fosse Way Roman roads. Its heritage significance therefore derives from its archaeological interest, of which one would need prior knowledge in order to experience it. The routes of the current roads are believed to follow the courses of the Roman roads contemporary to the monument, and therefore elements of its setting (the way in which the asset is experienced) make a small positive contribution to its primary archaeological interest. Built elements of the proposed development may be visible from land within the monument and therefore could potentially affect it. Views of the proposed development along the A5 (the route of which has a bearing on the setting on the monument), could be possible from higher parts of the monument, where this would be seen in the context of other modern features. Such views would be precluded from other parts of the monument by the slight curvature of the road to the west, where this would ensure that roadside trees and other vegetation would effectively screen views of the proposed development. It is therefore judged that the potential for harm to the significance of the monument, through changes in its setting, is minimal, and given the small but positive contribution the setting of the monument makes to its significance, any harm would be very minor.
- 8.62. The second item for consideration concerns the degree of harm that the proposed insertion of a roundabout will have on the small positive contribution that the linearity of Watling Street makes to the scheduled monument known as High Cross. No remains of the Roman road of Watling Street have been found in the vicinity of the application site, so it cannot be claimed with any assertion that the insertion of a roundabout would cause direct harm to a heritage asset. Currently, the linearity of the road remains clearly legible through the application site so it is considered that this aspect makes a small positive contribution to the extended setting of the scheduled monument. The insertion of the roundabout will cause a slight change to this linearity along a small length of the road, adversely impacting upon the positive contribution through changes in its setting, causing a level of harm to the significance of the monument, considered to be very minor in this case.
- 8.63. As required by paragraph 132 of the NPPF any harm caused to a heritage asset requires clear and convincing justification. In the case of providing access for the development, the requirements of Highways England have been followed and a roundabout is the only feasible option to provide access, this provides clear reasoning for the harm. In terms of the visibility of the proposed development from the monument, the instances of visibility are minimal and in the context of other modern features, it appears disproportionate to suggest the layout of the proposed development should have been altered to further reduce or prevent visibility all together. Nonetheless, it is concluded above that the development (the erection of the buildings and the creation of a roundabout) will cause a very minor level of harm to the significance of the scheduled monument; in this case the harm is considered to be "less than substantial". Where harm is caused, paragraph 134 of the NPPF and Policy DM11 of the SADMP DPD requires the harm to be considered against the public benefits of the proposal, with the benefits needing to outweigh the harm for the proposal to comply with these relevant policies.
- 8.64. Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF

(paragraph 7). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and enhancing the historic environment – paragraph 20), such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- Reducing or removing risks to a heritage asset
- Securing the optimum viable use of a heritage asset in support of its long term conservation

8.65. In this case the development can demonstrate no heritage benefits. However, there are considerable benefits associated with the development with the creation of around 2,395 gross direct full time equivalent jobs, as well as jobs involved with the construction of the development. The economic benefits associated with the proposed development, could, by virtue of the jobs created, encourage new residents and employees to the local area who would in turn support local services and facilities. As part of landscaping proposals for the scheme the Soar Brook corridor is to be enhanced. A new wide foot/cycle path is to be created linking users and visitors to the proposed footpath extension along the A5. It is therefore considered that these identified economic, social and environmental public benefits are of a substantial nature which outweighs the less than substantial harm identified to the significance of the scheduled monument, therefore the proposal complies with policies DM11 and DM12 of the SADMP DPD and section 12 of the NPPF (paragraphs 132 and 134).

8.66. It is considered that the assessments provide an adequate and proportionate assessment of the impact of the proposal on archaeology, the above ground built heritage and the landscape, meeting the requirements of paragraph 128 of the NPPF and the Policies DM11, DM12 and DM13 of the SADMP.

Impact upon neighbouring residential amenity

8.67. Policy DM10 of the adopted SADMP seeks to ensure that development does not adversely affect the privacy and amenity of neighbouring properties. The proposed development within Zones 1 and 2 is a detailed submission and therefore it is possible to fully assess the impact of the development proposal upon surrounding properties. Notwithstanding that the exact detail proposed for Zone 3 is a Reserved Matter, from the information provided it is possible to provide general observations on whether or not the amenity of existing residential areas/properties located adjacent to or within close proximity will be affected.

8.68. The nearest dwelling the site is Burbage House to the north east which is set within parkland style gardens at a distance in excess of 200 metres of the application site. Other properties are located on Workhouse Lane to the north of the site.

8.69. The proposed units would be set back from the northern boundary of the site and a planting zone ranging between 12 and 17 metres in width would be provided to the north western boundary of the site with native planting proposed to enhance the existing native hedge which varies from 2.5 to 7 metres tall. It is envisaged that as this establishes it will begin to break up the massing of the building elevations when viewed from the residential area to the north of the M69.

8.70. Jury's Inn Hotel is located to the south west of the site in close proximity to Zone 2. The building within this Zone will be over 55 metres in distance from the boundary with the hotel. The area between Unit 2 and the hotel would be profiled to create an undulating bund which would break the line of sight from the hotel. It is considered given the location of the hotel; adjacent to the M69 and A5 and the existing impact this has in terms of noise, light pollution and general disturbance; and given the

sporadic way in which this property is occupied; the proposed development is not considered unacceptable in terms of its impact upon occupants of the hotel.

- 8.71. Subject to consideration of further details at reserved matters stage in relation to Zone 3, it is considered that given the existing landscaping and the proposed landscaping together with the significant separation distance of any surrounding properties being in excess of 100 metres; the proposed development would not lead to any undue loss of amenity by virtue of any loss of light, dominance or any other residential amenity impacts.
- 8.72. The development is not considered to have an adverse impact on the amenities of surrounding residents and would be in accordance with Policy DM10 of the adopted SADMP with regard to impact on neighbouring residential amenity.

Highway Considerations

- 8.73. Policies DM17 of the SADMP states that all new development should be in accordance with the highway design standards. Policy DM18 requires adequate parking provision to be provided to serve developments.
- 8.74. Given the scale of this proposal, the application has been accompanied by a Transport Assessment. This has taken account of existing traffic conditions, accessibility and sustainable modes of transport, accidents and vehicular impacts.
- 8.75. The site is located approximately 3.5km to the south east of Hinckley Town and 1.5km Burbage Parish centres. It is bound to the south by the A5 (T), the M69 to the northwest and open countryside to the east. The A5 past the site is single carriageway approximately 7.5m in width with no existing footways or dedicated cycle facilities and is unlit. To the west the A5 connects with the M69 at Junction 1 before continuing to various employment areas south of Hinckley and North Warwickshire. The M69 connects the M1 at junction 21, the M6 at Junction 2 and the M40 at Junction 15 via the A46.
- 8.76. Highways England have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such Highways England works to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.
- 8.77. The site proposes a main vehicular access onto the SRN from the A5, taking the form of a 55m ICD three arm roundabout. A temporary construction access is proposed from the A5 which would be used to transport plant, equipment and material to site prior to completion of the proposed new roundabout and permanent access.
- 8.78. The principle of the proposed new access arrangements on the A5 have been reviewed and agreed by Highways England. The proposals have been subject to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures. It is also noted that the proposed roundabout has been designed in accordance with The Design Manual for Roads and Bridges (DMRB), Volume 6 Road Geometry, Section 2 Junctions, Part 3 TD16/07 Geometric Design of Roundabouts with no departures from standard applied for.

Trip Generation and impact on existing highway network

- 8.79. As part of the desktop analysis, the applicant calculated trip generation from data provided from the TRICS database. TRICS is a computer database that validates assumptions about the transport impacts of new developments. It is the industry standard system for calculating trip generation in the UK and is used as an integral and essential part of the Transport Assessment process. During pre-application scoping it was agreed trip rates derived from TRICS for Industrial Units covering a B1(c) use, would be used to present a more vehicular intensive assessment of Zones 2 and 3 which is set out as scenario 2. Scenario 1 has assessed Zone 2 within a B8 use class which presents the larger unit being used for warehousing purposes.
- 8.80. To ensure a robust assessment was undertaken, the transport assessment assumed a like for like operation in Zone 1 compared to DPD's existing HUB4 and a total floorspace of 102,000m² for Zones 2 and 3, which is a total of circa 132,000m². The TRICS database was interrogated for Warehousing and Industrial Unit trip rates to derive the potential future traffic generation of the site.
- 8.81. Whilst 24 hour counts were commissioned, it has since been confirmed by DPD that the site will not operate in the same manner as the HUB4 building, insofar that it will not offer facilities and general office accommodation during the day time. Therefore, its peak hours of operation are between 17:00 and 04:00 and the data for these times has been extracted from the counts and will be used to assess the impacts of this element of the wider development. Furthermore, the site will also have no collection depot, so there will be no vans operating from the site.

The only movements that will take place during the network peak times, is between 17:00 and 18:00, which is the highlighted row, primarily where employees are arriving. However, to present a robust position the AM peak hour traffic will also be included. Zones 2 and 3 are to be assessed for open B1(c)/ B2/ B8 uses, for up to a total of 102,000m².

- 8.82. The traffic generation has been estimated and distributed onto the local network. Future year traffic forecasts also include wider development growth. This has informed the design of the access and the appraisal of the off-site impact. Accordingly the operation of the site access has been modelled which shows that there is adequate capacity to accommodate the additional traffic generation.
- 8.83. Leicestershire County Council Highways Authority has assessed the assessment and their comments are set out below.
- 8.84. Access to Hinckley from its southern side is inevitably constrained by the presence of the rail line causing both severance and limited route choice for motorists locally. Furthermore, the presence of the M69 to the south and A5 to the west, further encapsulates Hinckley whilst offering access to the SRN facilitating the wider movement of goods and people.
- 8.85. The two north/south routes serving the southern side of the town, Rugby Road from M69 J1 and Burbage Road from the A5, carry by far the greatest volume of traffic in Hinckley. Although future year analysis has demonstrated that east/west routes will deteriorate at a faster rate within the next 10-15 years, congestion and delays remain notably worse in real terms both now and in the future on the two north/south routes.
- 8.86. Ensuring that these two vital local routes operate efficiently, with journey times and delays minimised is essential for all traffic in Hinckley. The combination of

Zone 1, 2, 3 and 4 measures contribute greatly to reducing overall levels of congestion, monitoring air quality, enhancing public health and the efficient operation of the network; the latter of which is particularly relevant to the type of trip making associated with the development proposals.

- 8.87. The analysis has demonstrated that the development site is a strong trip attractor with a significant percentage of trips originating from within Hinckley. This further demonstrates the importance of maintaining traffic flow on key routes, ensuring that the network can adequately accommodate development trips, existing traffic and forecast levels of growth.
- 8.88. It is evident from the strategic model testing that the performance of M69 J1 and maintaining traffic flow on the A5, affects the operation of the County road network within Hinckley. The operation of M69 J1 is particularly relevant to the development traffic routing. Following the optimisation of the traffic signals, development traffic relies more greatly on the SRN. Without the signal optimisation of M69 J1, the analysis demonstrates a far greater reliance on County roads with development traffic avoiding a congested junction.
- 8.89. The effects of background traffic re-distribution and development traffic impact on the network, as congested junctions and routes become further overloaded, are apparent both *with* and *without* enhancement to M69 J1. As a consequence there remains a dependency on the efficient operation on County roads, with the two north/south corridors remaining critical to efficient network operation.
- 8.90. The National Productivity Investment Fund funding (NPIF) allow the County Council to invest in measures based on their necessity and priority. This is based upon a £3.5m investment from Central Government and £1.5m investment on behalf of the County Council, in addition to the £800,000 the County Council has already allocated.
- 8.91. The NPIF funded package of measures includes network improvements on Rugby Road and its associated junctions; these are considered sufficient to mitigate the impact of development traffic along this route. To ensure that both these key routes can satisfactorily accommodate development traffic, a contribution towards network enhancement is necessary to mitigate the material impact of development traffic along Burbage Road/ London Road corridor.

Routing of vehicles

- 8.92. Concerns have been raised regarding the potential impact the proposed development would have on existing traffic problems within Burbage village from HGV's and construction traffic. DPD has confirmed that their HGVs would not travel through Hinckley town centre and/or Burbage village at any time, as given the size of their fleet notwithstanding the self-imposed routeing restrictions, the vehicles cannot physically manoeuvre through certain junctions.
- 8.93. Routing for construction traffic would be subject to existing physical and legal restrictions on movements of large vehicles. In addition; a Construction Traffic Routeing Agreement will be required to be submitted to and approved in writing to ensure that all construction traffic associated with the development does not use unsatisfactory roads to and from the site.
- 8.94. Whilst occupiers for the other parts of the development are yet to be confirmed, as set out in response to the item above, the forecast distribution of traffic from the site

shows the majority of HGV traffic will travel to and from the M69 and A5 to the north of the site. No HGV movements through Burbage are forecasted.

Sustainable Travel

- 8.95. There are currently no footways or cycleways in close proximity of the site. The nearest provision is a combined footway/ cycleway to the west of the Island Hotel that terminates at their site access junction. There are crossing points on the M69 southbound off-slip and northbound on-slip as well as the Rugby Road arm which enables cyclists to cross from A5N to A5S.
- 8.96. Rugby Road has on carriageway cycle lanes with no footways. The footway/cycleway crosses to the southern side of the A5 approximately 80m from the M69 roundabout. It then continues as a shared use footway/cycleway for 1.5km where it crosses back over the A5 and connects to Sketchley Lane. This in turn provides access into the various residential areas of Sketchley and Hinckley Town Centre. The applicant has proposed to implement a footway / cycleway along Rugby Road to tie in with the existing footway / cycleway which currently terminates at the junction of Rugby Road with Canberra Way. This has been proposed in response to consultation feedback.
- 8.97. Upon review by the LHA the general principles of a footway / cycleway provided along Rugby Road is acceptable and necessary to enable adequate provision for access by pedestrians and cyclists to the proposed site. The LHA has therefore advised inclusion of a condition accordingly.
- 8.98. Each individual unit within the development will be accompanied by a full Travel Plan which sets out actions and measures with quantifiable outputs and outcome targets and aims to reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport.
- 8.99. Travel Packs including the offer of a six month bus pass will be provided to all employees from first occupation of the site to inform those working within the development of the sustainable travel choices available and to encourage use of bus services.
- 8.100. The nearest bus service to the site is the Hinckleybus 8 service, which is a Monday-Saturday hourly service. The first service leaves Hinckley at 05.15 and the last service leaves at 17.20. This service travels through to Lutterworth, where the first service leaves Lutterworth at 06.00 and the last service leaves at 18.35.
- 8.101. Confirmation has been received from Arriva, the service operator confirming their agreement in principal for the diversion of Service 8 into the proposed development. Arriva have indicated that should additional journeys be required in order to coincide with shift changes outside the hours within which the service usually operates they would be happy to provide these subject to the necessary financial support from the developer.
- 8.102. During review of the development proposals the LHA has advised that the most appropriate option to reduce the reliance on single occupancy car journeys for zone 1 may be a "workers bus". This is a site specific option which could pick up workers from at least the nearest town centre of Hinckley and would be more flexible than an extension of the Arriva service, possibly at a much reduced expense. For the following phases (2 & 3), an agreement with the commercial bus operator may be more appropriate, due to the more traditional working hours and operation of site use anticipated. The LHA has therefore advised the imposition of a planning obligation to enable this further assessment and review to be undertaken prior to first use of the development.

- 8.103. Finally, a Site Wide Travel Plan co-ordinator would be funded and employed by the Applicant from the commencement of development until 5 years following first occupation; this role will involve promotion of public transport services in accordance with the Framework Travel Plan.

Road Safety

- 8.104. The applicant has collated and analysed Personal Injury Collision (PIC) data on the local highway network over a period of 01/01/2012 to 31/12/2016. The study area included the following links and junctions:
- M69 J1 roundabout and short lengths of approaches;
 - A5 link past the site;
 - Lutterworth Road from the A5 to the Windsor Street junction.
- 8.105. Following on from the period analysed in preparation of the transport assessment the LHA has reconsidered the defined study area, collating and analysing the Personal Injury Collision (PIC) data for the period of 01/01/2017 – 27/12/2017 and in which there was a single slight incident recorded within the study area.
- 8.106. Upon further investigation of the specific details of the above incidents, in addition to a review of the year on year trends in data, the LHA would conclude that there are no cluster spots or patterns in the data that the development proposals could reasonably be expected to exacerbate.

Car Parking

- 8.107. For Zone 1 the application proposes 425 car parking spaces and 74 HGV spaces in line with the 6Cs Design Guide standards. The applicant has proposed that since the specific end user is known for Zone 1 the car parking requirements of that proposed are based on the operation of their other sites, such as HUB4 in Hinckley. The parking provision proposed is in excess of the requirements detailed in the 6Cs Design Guide for Zone 1 and therefore considered acceptable to the Local Highways Authority (LHA).
- 8.108. For Zone 2, the exact requirement for car and HGV parking would vary depending on the proportion of each land use which is sought. That said; the Unit 2 Site Layout drawing number 14102 P200 Rev C details a schedule of accommodation and associated parking provision (545 spaces). The LHA consider that the parking provision is suitable for the land use indicated in the accommodation schedule.
- 8.109. For Zone 3, two options have been proposed for parking provision on indicative masterplans depending on the makeup of the land uses sought by future occupiers of the site. Given the uncertainties over the land use requirement of future users and consequential varying parking requirements under the different land uses this would need to be considered in further detail in preparation of the reserved matters application for Zone 3.
- 8.110. In summary, the Transport Assessment has reviewed the highways and transport implications of providing a total quantum of 132,000m² of B1c/B2/ B8 employment floorspace on land to the north of the A5 and east of M69 Junction 1, south of Hinckley, Leicestershire. The traffic generation has been estimated and distributed onto the local network. Future year traffic forecasts also include wider development growth. This has informed the design of the access and the appraisal of the off-site impact. Accordingly the operation of the site access has been modelled which shows that there is adequate capacity to accommodate the additional traffic generation.

- 8.111. The proposals include the construction of a new roundabout access on the A5 in addition to an extension to the existing footway/ cycleway, emergency access and substation access. Parking provision on site will be provided in general accordance with parking standards set by the Local Authority. The additional traffic would not have a material impact on the safety or operation of the local road network and it can clearly be concluded that the impact of the development will not be “severe” and overall there are no justifiable reasons for refusal on highway grounds.
- 8.112. In summary, Highways England and Leicestershire County Council Highways have no objection to the development subject to the imposition of planning conditions. The scheme is considered to be in accordance with Policies DM17 and 18 of the SADMP and the guidance contained within the NPPF. The development is not considered to result in a severe highway impact in accordance with Paragraph 32 of the NPPF.

Environmental Impact

- 8.113. Policy DM7 of the SADMP seeks to prevent the risk of pollution resulting from development.
- 8.114. The ES contains a chapter on Land Contamination and Pollution and has assessed air quality impact to existing receptors resulting from the construction and operational activities associated with the development.

Noise

- 8.115. A noise impact assessment was submitted which predicts that the construction of the site, even taking account of the identified mitigation measures, could lead to moderate adverse effects from noise where the construction works are close to the off-site receptors. However, it concludes that these are likely to be short-term in duration. It should also be noted that the acoustic benefit of the early construction of the bund along the western edge of the site was not factored into the assessment.
- 8.116. A CEMP has been submitted however HBBC’s Environmental Health Officer considers that this should be revisited to include a process for reactive monitoring should complaints arise. Mitigation is proposed in the form of acoustic barriers to reduce potential noise impacts during the operational phase of the proposed development.
- 8.117. A condition is proposed to require an additional noise impact assessment for any B2 use for Unit 2, once the final user is known and more accurate data is available on which to base the predictions. A further condition is proposed requiring submission of a noise assessment with any reserved matters applications for Zone 3, to confirm the need for, and extent of, further noise mitigation measures and any such measures shall be installed prior to the first use of the relevant units.

Lighting

- 8.118. An External Lighting Impact Assessment and detailed lighting plans have been provided as part of the application for Zone 1 and 2. HBBC Environmental Health considers the lighting plans acceptable.

Ventilation and extraction

- 8.119. In relation to Zone 2; given that there is no confirmed end user; HBBC Environmental Health Officer recommends that a condition be imposed to any permission granted to control ventilation from the premises to control potential odour impacts on neighbouring properties.

Contamination

- 8.120. A condition will also be imposed to ensure that any land contamination encountered during the development is dealt with appropriately.
- 8.121. Subject to conditions and on the basis of submission of an updated Construction Environmental Management Plan, it is considered that the proposed development would not give rise to excessive levels of noise, vibration, smell, or light pollution and would therefore be in accordance with Policy DM7 and DM10 of the SADMP.

Drainage and Flood Risk

- 8.122. Policy DM7 of the SADMP requires adverse impacts from flooding to be prevented and provides that development should not create or exacerbate flooding and be located away from areas of flood risk unless adequately mitigated. The application has been accompanied by a Flood Risk Assessment (FRA) and the scheme has been considered by Leicestershire County Council (Drainage), the Environment Agency, HBBC (Drainage) and Severn Trent.
- 8.123. A Hydrology chapter has been prepared as part of the ES which assesses the likely significant effects of the proposed development on the environment.
- The assessment of likely significant effects has considered the following:
 - Surface water drainage
 - Flood risk
 - Water Quality
 - Groundwater
- 8.124. The ES and FRA confirm that the site lies predominantly in Flood Zone 1 (low risk of flooding) as defined by the Environment Agency's (EA) flood maps. A very small area of the site is within Flood Zone 3 (High probability of flooding) this equates to less than 0.5% of the entire site. No building is proposed within this area.
- 8.125. Identification of suitable and appropriate mitigation measures for all stages of the development and an indication of how these measures will affect the significance of any impacts has been provided.
- 8.126. The assessment has taken account of mitigation incorporated into the design, such as the provision of surface water attenuation. As no significant effects have been assessed as likely, no further mitigation has been proposed and therefore no residual effects are anticipated.
- 8.127. HBBC's Drainage Officer does not object to the proposed development subject to a condition requiring details of the final surface water drainage scheme. Similarly, Leicestershire County Council (Drainage) has no objections to the proposal subject to the imposition of conditions. The Environment Agency does not object to the proposal.
- 8.128. It is therefore considered that the proposal would not lead to harm to the quality of groundwater from surface or foul water and would not cause or aggravate flooding in accordance with Policy DM7 of the SADMP.

Impact upon Ecology

- 8.129. Policy DM6 of the SADMP states that major developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On-site features should be retained, buffered and management favourably to maintain their ecological value, connectivity and functionality in the long term.

- 8.130. The ES contains a chapter on Ecology providing an overview of any significant effects, both beneficial and adverse on ecological features which may result during construction and operational phases of the proposed development. The report has also been accompanied by a Construction Ecological Management Plan.
- 8.131. There are a small number of non-statutory local wildlife sites that occur adjacent to the site, the central Soar Brook watercourse that acts as a valuable wildlife corridor and the network of boundary hedgerows on and adjacent to the site. The Soar Brook corridor is to be retained and enhanced as part of the Landscape proposal.
- 8.132. Proposed additional mitigation to address the predicted effects includes the provision of new nesting and roosting habitat features for bats and birds; detailed within the Ecological Mitigation Strategy (EMS) submitted with the application, production of a Reasonable Avoidance Method Statement for amphibians, implementation of a landscaping management and maintenance plan focused on biodiversity, appropriate post development monitoring of habitats and species, sensitively designed lighting proposals and implementation of a speed limit to reduce the risk of road mortality to species such as badgers.
- 8.133. Works would proceed only in accordance with the methodology set out within the Ecological Mitigation Strategy. A Great Crested Newt Survey has been completed and included a Habitat Suitability Index Assessment and a presence/absence survey in accordance with English Nature methodology. This survey incorporated all the ponds on site within 500 metres of the site which had suitable connectivity to the site and where access was permitted. No GCN were identified within the ponds surveyed although access was denied to three ponds. As a result; Reasonable Avoidance Measures will be applied to minimise the risks to Great Crested Newts within 250m of the ponds on site which the applicant has not been able to access for survey as recommended by LCC Ecology.
- 8.134. LCC's Ecologist and Natural England have fully appraised the submitted statements and reports and commented accordingly. On the basis of the evidence provided and subject to securing the proposed mitigation outlined in the EMS no objections have been received on ecology grounds. The proposal is considered to comply with both local and national policy.
- 8.135. Accordingly subject to conditions, the development would be in accordance with Policy DM6 of the adopted SADMP with regard to biodiversity enhancements.

Planning Obligations

- 8.136. Policy DM3 of the SADMP identifies that where development will create a need to provide additional or improved infrastructure, amenities or facilities, developers will be expected to make such provision directly or indirectly through the appropriate funding mechanism. Paragraphs 203 and 204 of the NPPF also provides that planning obligations should be necessary to make the proposed development acceptable in planning terms, directly related to the proposed development and fairly and reasonably related in scale and kind of the proposed development. This wording reflects the tests set out within the Community Infrastructure Regulations 2010.
- 8.137. Developer contributions and obligations have been requested by Leicestershire County Council (Highways). As previously mentioned above, the proposed development due to its size and scale would have wider impacts upon the highway network. It is therefore identified that mitigation measures are required to ensure this does not have a severe impact. In terms of the cumulative impact of this development, Leicestershire County Council (Highways) consider that a contribution

should be provided towards improvements of the wider highway network in the area and a contribution towards infrastructure for accommodating growth is sought.

- 8.138. Due to the scale of the proposal developer contributions are required to mitigate the impact of the proposed development.
1. A contribution towards improvements to the wider highway network within Hinckley as considered appropriate by Hinckley & Bosworth Borough Council in consultation with Leicestershire County Council.
 2. Provision of bus services calling at new bus stop(s) to serve the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with both the off peak shift changes associated with the proposed development, seven days a week (including Bank Holidays) and the 9am to 5pm peak hours Monday to Friday. Any new bus stop infrastructure must include, but not be limited to: bus stops, bus shelters, facilitation of Real Time Information, raised kerbs, lighting and timetable information.
 3. The bus services shall be operational to coincide with 25% occupation of phase 1 of the development, unless an alternative date is agreed to in writing by the Local Planning Authority, and until five years following 50% occupation of the total development.
 4. All details of the bus services and any amendments are to be submitted to and approved in writing by the Local Planning Authority. The bus services may be secured through area-wide initiatives provided that the minimum service level provision is met and for the stipulated timescale of 5yrs from 50% occupation of the total development.
 5. One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.
 6. One six-month bus pass per employee to be offered on commencement of bus service provision on site. This can be provided through Leicestershire County Council at an average cost of £360.00 per pass.
 7. A Framework Travel Plan monitoring fee of £11,337.50 for Leicestershire County Council's Travel Plan Monitoring System.
 8. A Site-Wide Travel Plan Co-ordinator to be funded and employed by the Applicant from the commencement of development until 5 years following full occupation. Specifically, the Site-Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan for the promotion of public transport services.
- 8.139. Policy DM17 identifies that development should have 'convenient and safe access for walking and cycling to services and facilities' and 'the need to travel will be minimised and the use of sustainable transport modes can be maximised'. The submitted travel plan includes a number of measures designed to encourage sustainable forms of transport. In addition the footways which will run contiguously with the internal estate roads and green corridors will enable walking and cycling to destinations within the site. It is considered that the request is directly, fairly and reasonable related in scale and kind to the development proposed and can be secured through a S106 legal agreement.

9. Equality Implications

9.1. **Where No Known Implications** Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

9.3. There are no known equality implications arising directly from this development.

10. Conclusion

10.1. Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay unless material considerations indicate otherwise.

10.2. Policy DM4 of the SADMP supports development within the countryside where it has been demonstrated that development would significantly contribute to economic growth and job creation, and does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside, does not undermine the physical and perceived separation and open character between settlements and does not exacerbate ribbon development.

10.3. The proposed development would deliver a wide range of benefits as set out below:

During Construction

- Estimated construction expenditure of approximately £100 million, generating wider benefits for the supply chain
- 280 gross direct FTE jobs per annum of construction
- 105 direct Full Time Equivalent jobs in Hinckley and Bosworth
- Total contribution of around £20.2 million in GVA to the local economy during construction.

Operational Phase

- Creation of 2,395 gross direct jobs on site through provision of new commercial floorspace
- 895 net direct FTE jobs will be held by Hinckley and Bosworth residents
- 225 indirect/induced FTE jobs will be held by Hinckley and Bosworth residents
- Annual contribution of £48.7 million in GVA economic output across the Borough
- Creation of a range of managerial, professional, skilled trades and administrative jobs
- £24.9 direct wage expenditure per annum and £5.8 million indirect wage expenditure per annum in Hinckley and Bosworth; and

- Retention of approximately £3.5 million in additional business rate revenue annually by Hinckley and Bosworth Borough Council.
- 10.4. The economic benefits associated with the proposed development could, by virtue of the jobs created, encourage new residents and employees to the local area who would in turn support local services and facilities. It is considered that the proposal would support economic development and benefit the economy of the immediate area and the Borough as a whole.
 - 10.5. The proposed development, whilst within open countryside is not subject to any statutory landscape designations. As such any identified harm is only on a local level and the proposals have been designed to minimise these effects through additional planting. As part of the landscape proposal the Soar Brook corridor is to be retained and enhanced. A new wide foot/cycle path is to be positioned running parallel to the watercourse linking users/visitors to the proposed footpath extension along the A5.
 - 10.6. The proposal would result in the loss of agricultural land, however, this is a preferable location, close to the motorway junction; existing hotel and conference facility and A5 compared to other greenfield sites which could involve loss of best and most versatile agricultural land it is considered that the proposal is acceptable in terms of the impact on agricultural land.
 - 10.7. The proposed development is considered appropriate in design terms; the buildings proposed in zone 1 and 2 are contemporary and modern and are designed to balance the needs of future employment uses against the requirement to mitigate the impact on the surrounding countryside.
 - 10.8. Both the construction and operational phases of the development have been assessed, with the conclusion that both phases will have an imperceptible impact on the heritage assets within the study area, resulting in a negligible overall effect on the significance of the heritage assets, and subsequently causing them no harm. This is due to the distance between each asset and the application site and intervening topography and trees, and that there is no known functional or historic relationship between the assets and the application site. It has therefore been demonstrated that the proposal is compatible with the setting of the nearby listed buildings and non-designated heritage assets and it preserves the character and appearance and thus significance of the nearby conservation areas.
 - 10.9. The proposed development provides mitigation against the impact of development upon Ecology. Where negative effects have been identified in terms of species and habitats, mitigation measures are proposed to minimise any potential impact. The proposal provides mitigation against flood risk, in particular surface water run off. It is considered that the proposed mitigation provided will off set any harm that may be caused.
 - 10.10. The proposed development would be visible from some local properties; however it is not considered that the proposal would have any demonstrable impact upon these properties. Furthermore whilst there may be some audible noise emanating from the development, given the existing background noise levels in the area, it is not considered that there would be any demonstrable harm caused by noise from the development which could not be adequately mitigated against.
 - 10.11. The proposed buildings; particularly in Zone 2 are of a very large scale and will take some time to be absorbed into the landscape from certain directions and will remain a permanent feature from others. Whilst the proposed development would utilise the topography of the site, combined with the design of the buildings and proposed

landscaping there would clearly be some significant short and long term effects on landscape character and visual amenity; this is only to be expected for a development of this scale in a countryside location. However, the proposed development will significantly contribute to economic growth and job creation and would be located adjacent to the strategic road network of the M69 and A5 which offer accessibility to the regional and national supply chain and consumer markets. These benefits are significant in scale and it is considered that the benefits which would be provided through this scheme would outweigh this acknowledged harm. Whilst there will be a degree of conflict with criterion i of Policy DM4 of the SADMP, other material considerations, including the economic benefits of the proposed development, the proposed landscape mitigation, and the absence of harm when considered against other policies of the adopted development plan, outweigh the harm to the open countryside.

- 10.12. In reaching this conclusion, Officers have taken into account the ES which was submitted under the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations. It is considered that the information provided complies with the above regulations and that sufficient information has been provided to assess the environmental impact of the proposals.
- 10.13. The proposal therefore accords with the provisions of the Development Plan, specifically Policies DM1, DM3, DM4, DM6, DM7, DM10, DM11, DM12, DM13, DM17, DM18 and DM20 of the SADMP and section 12 of the NPPF (paragraphs 132 and 135), and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990
- 10.14. This hybrid application is therefore recommended for approval subject to conditions and appropriate contributions and obligations being secured through a legal agreement.

11. Recommendation

11.1. Grant planning permission subject to:

The prior completion of a S106 agreement to secure the following obligations:

- A contribution towards improvements to the wider highway network within Hinckley as considered appropriate by Hinckley & Bosworth Borough Council in consultation with Leicestershire County Council.
- Provision of bus services calling at new bus stop(s) to serve the development site as agreed with the Local Planning Authority. The bus services shall be scheduled to coincide with both the off peak shift changes associated with the proposed development, seven days a week (including Bank Holidays) and the 9am to 5pm peak hours Monday to Friday. Any new bus stop infrastructure must include, but not be limited to: bus stops, bus shelters, facilitation of Real Time Information, raised kerbs, lighting and timetable information.
- The bus services shall be operational to coincide with 25% occupation of phase 1 of the development, unless an alternative date is agreed to in writing by the Local Planning Authority, and until five years following 50% occupation of the total development.
- All details of the bus services and any amendments are to be submitted to and approved in writing by the Local Planning Authority. The bus services may be secured through area-wide initiatives provided that the minimum service level provision is met and for the stipulated timescale of 5yrs from 50% occupation of the total development.

- One Travel Pack per employee, to be provided from first occupation. This can be provided through Leicestershire County Council at a cost of £52.85 per pack. If not supplied by LCC, a sample Travel Pack shall be submitted to and approved in writing by LCC which may involve an administration charge.
- One six-month bus pass per employee to be provided on commencement of bus service provision on site. This can be provided through Leicestershire County Council at an average cost of £360.00 per pass.
- A Framework Travel Plan monitoring fee of £11,337.50 for Leicestershire County Council's Travel Plan Monitoring System.
- A Site-Wide Travel Plan Co-ordinator to be funded and employed by the Applicant from the commencement of development until 5 years following full occupation. Specifically, the Site-Wide Travel Plan Co-ordinator shall undertake tasks in accordance with the Framework Travel Plan for the promotion of public transport services.
- Provision of opportunities for apprenticeships and work experience and employment and skills related training during the construction of the development.

11.2 Planning conditions outlined at the end of this report.

11.2. That the Planning Manager, Development Management be given powers to determine the final detail of planning conditions.

11.3. That the Planning manager, Development Management be given delegated powers to determine the terms of the S106 agreement including trigger points and claw back periods.

11.4. **Conditions and Reasons**

Site Wide Conditions

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the following submitted plans and documents received by the local planning authority:

- 14102 - P001 Site Location Plan
- 14102 - P002E Parameter Plan
- 14102 - P006 Illustrative Masterplan Ancillary Building Details
- 1693-16_11E Landscape Strategy Plan (Site Wide)
- 1693-16_17G Infrastructure & Zone 2 Landscape Plan Sheet 1 of 5
- 1693-16_18G Infrastructure & Zone 2 Landscape Plan Sheet 2 of 5
- 1693-16_19D Infrastructure & Zone 2 Landscape Plan Sheet 3 of 5
- 1693-16_20F Infrastructure & Zone 2 Landscape Plan Sheet 4 of 5
- 1693-16_21G Infrastructure & Zone 2 Landscape Plan Sheet 5 of 5
- 1693-16_22E Infrastructure & Zone 2 Landscape Sections
- 1693-16_12 Landscape Strategy Sections Sheet 1 of 2
- 1693-16_13 Landscape Strategy Sections Sheet 2 of 2
- 1693-16_25A A5 Roundabout Landscape Plan
- 1693-16_01B Tree Constraints Plan Sheet 1 of 5
- 1693-16_02A Tree Constraints Plan Sheet 2 of 5
- 1693-16_03A Tree Constraints Plan Sheet 3 of 5
- 1693-16_04A Tree Constraints Plan Sheet 4 of 5
- 1693-16_05A Tree Constraints Plan Sheet 5 of 5
- 1693-16_06B Tree Retention Removal and Protection Plan (Sheet 1 of 5)
- 1693-16_07A Tree Retention Removal and Protection Plan (Sheet 2 of 5)

1693-16_08A Tree Retention Removal and Protection Plan (Sheet 3 of 5)
 1693-16_09A Tree Retention Removal and Protection Plan (Sheet 4 of 5)
 1693-16_010A Tree Retention Removal and Protection Plan (Sheet 5 of 5)
 116257-2001-B Site Drainage Strategy (Site Wide)
 18216-12 Site Access (55m ICD Roundabout)
 18216-13 Site Access Visibility Appraisal
 18216-04E A5 Footway and Cycleway Improvements
 18216-09B Proposed New Substation Access on A5
 18216-10A Proposed New Construction Access on A5
 18216-14 Land at Junction 1 M69, Proposed Mitigation Works
 116257-2003 Proposed A5 Access Drainage
 116257-2201-A Internal Spine Road Centreline Longitudinal Section
 116257-2200-A Internal Spine Road Layout and Typical Section
 116257-1800-A Internal Spine Road Swept Path Analysis
 500547-5001-P5 Primary Substation General Arrangement
 500547-5002-P2 Primary Substation Elevations
 116257-2004 Primary Substation - Drainage Layout
 Q10788-E-500_P6 External Lighting Development Zones
 Q10788-E-502_P6 External Lighting Layout – Pedestrian Walkway, Cycle
 Route and Access Road
 116257-0013-A Possible Topsoil Bund Location

Zone 1

Architectural

14102 - P100F Unit 1 - Site Layout
 14102 - P101 Unit 1 – Hub Building – Basement Plan
 14102 - P102 Unit 1 – Hub Building Ground Floor Plan – Sheet 1 of 3
 14102 - P103 Unit 1 - Hub Building Ground Floor Plan – Sheet 2 of 3
 14102 - P104 Unit 1 - Hub Building Ground Floor Plan – Sheet 3 of 3
 14102 - P105 Unit 1 - Hub 5 Office First Floor Plan – Sheet 1 of 3
 14102 - P106 Unit 1 - Hub 5 Office First Floor Plan – Sheet 2 of 3
 14102 - P107 Unit 1 - Hub 5 Office First Floor Plan – Sheet 3 of 3
 14102 - P108B Unit 1 - Hub Building Elevations - Sheet 1 of 2
 14102 - P109B Unit 1 - Hub Building Elevations - Sheet 2 of 2
 14102 - P110A Unit 1 - Canteen & Security Building Layout
 14102 - P111B Unit 1 - Canteen & Security Building Elevations
 14102 - P112A Unit 1 - Vehicle Maintenance Unit Layout
 14102 - P113A Unit 1 - Vehicle Maintenance Unit Elevations
 14102 - P114A Unit 1 - Salt Barn, Tyre & Vehicle Storage
 14102 - P115A Unit 1 - Water Storage Tank, Generators & Fuel Tanks
 14102 - P116A Unit 1 - Steam Prep Enclosure
 14102 - P117A Unit 1 - Gatehouse Type 1
 14102 - P118A Unit 1 - Gatehouse Type 2
 14102 - P119 Unit 1 – Hub Building Roof Plan
 14102 - P120B Unit 1 – Site Fencing Layout
 14102 - P121A Unit 1 – Canteen & Security Building Roof Layout
 14102 - P122A Unit 1 – VMU Building Roof Layout
 1693-16_14J Landscape Concept Plan Zone 1 DPD Hub 5 Sheet 1 of 3
 1693-16_15K Landscape Concept Plan Zone 1 DPD Hub 5 Sheet 2 of 3
 1693-16_24A Landscape Concept Plan Zone 1 DPD Hub 5 Sheet 3 of 3
 1693-16_16F Landscape Concept Sections Zone 1, DPD Hub 5

Engineering

2403-05-P3 DPD Hub 5 Site Levels and Gradient Principles Sheet 1
 2403-06-P2 DPD Hub 5 Site Levels and Gradient Principles Sheet 2

2403-51-P1 Overall Site Drainage Layout
2403-52-P1 Part Site Drainage Layout (Sheet 1)
2403-53-P1 Part Site Drainage Layout (Sheet 2)

Lighting

D30454-JM-D DPD Hub 5 External Lighting Layout

Zone 2

Architectural

14102 - P200C Unit 2 – Site Layout
14102 - P201 Unit 2 – Building Layout
14102 - P202 Unit 2 - Main Office Layouts
14102 - P203 Unit 2 - Hub Office Layouts
14102 - P204B Unit 2 - Building Elevations
14102 - P205A Unit 2 - Roof Plan
14102 - P206 Unit 2 - Cycle & Smoking Shelter Details
14102 - P207 Unit 2 - Gatehouse
14102 - P208 Unit 2 - Ancillary Building Details
14102 - P209 Unit 2 - External Finishes
14102 - P210A Unit 2 - Fencing Layout
1693-16_23B Zone 2 Car Park Frontage Detailed Planting Plan

Engineering

116257-2100-B Unit 2 - Existing and Proposed Site Levels
116257-2300 Unit 2 Drainage Layout Plans

Lighting

Q10788-E-501_P6- External Lighting Layout – Unit 2, Pedestrian Walkway,
Cycle Route and Access Road

Reason: To ensure a satisfactory impact of the development to accord with Policy DM1 of the adopted Site Allocations and Development Management Policies DPD.

2. A minimum of 7.3 ha across Development Zones 2 and 3 will be reserved for uses falling with Use Class B1(c) (Light Industry) and/or Use Class B2 (General Industrial) of the Town and Country Planning (Use Classes) Order 1987 (as amended).

Reason: To ensure the site is developed with the appropriate mix of employment uses to meet the identified employment needs and in accordance with Policy DM20 of the Site Allocations and Development Management Policies DPD July 2016.

3. Trees T46 (English Oak) and T104 (Common Ash) as defined in the submitted Pre-Development Tree Survey and accompanying Tree Constraints Plans (refs) shall be retained in accordance with the approved Tree Retention, Removal and Protection Plans (refs).

Reason: The trees are an important feature in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site and retained in accordance with Policy DM6 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

4. Prior to commencement of works on any building, representative samples of the types and colours of materials to be used on the exterior of that building shall be deposited with and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved materials.

Reason: To ensure that the development has a satisfactory external appearance and in the interests of visual amenity to accord with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

5. No development shall take place/commence until a written scheme of investigation (WSI) for the necessary archaeological mitigation of the site has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, development shall only take place following the completion of the necessary archaeological mitigation for that area, to be undertaken in accordance with the agreed WSI. The WSI shall include a statement of significance and research objectives for the known and anticipated archaeological resource, and:

The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;

The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the Site Allocations and Development Management Policies DPD.

6. The development shall be carried out in accordance with the Ecological Mitigation Strategy (RT-MME-124163-02 dated July 2017).

Reason: To ensure the development contributes to enhancement and management of biodiversity of the area to accord with Policy DM6 of the adopted Hinckley and Bosworth Site Allocations and Development Plan Document.

7. The development shall be carried out and maintained thereafter in accordance with the Soft Landscape and Biodiversity Maintenance and Management Specification (1693/16/RP02 rev A dated July 2017).

Reason: To ensure that the development of the site (including where undertaken in a phased manner) takes place in a consistent and comprehensive manner and to ensure a high quality scheme is development in accordance with the design principles of the development to accord with Policy DM4 and DM10 of the adopted Site Allocations and Development Management Plan Document.

8. The development shall be carried out in accordance with the submitted Construction Ecological Management Plan (RT-MME-125673-01 dated 7th July 2017).

Reason: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development in accordance with Policy DM6 and Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

9. Prior to commencement of works on site, a Soil Resource and Management Plan shall be prepared and agreed with the local planning authority. This plan shall identify the existing soil resources within the site; the volumes of soils to be displaced by the proposed development; the receptor sites and uses for the displaced soils; and the methods for stripping, storing and replacing soils.

Reason: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development in accordance with Policy DM6 and Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

10. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall detail how, during the site preparation and construction phase of the development, the impact on existing and proposed residential premises and the environment shall be prevented or mitigated from dust, odour, noise, smoke, light and land contamination and include a construction traffic management plan, including details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision. The plan shall detail how such controls will be monitored. The plan will provide a procedure for the investigation of complaints.

Reason: To ensure appropriate mitigation for the impacts caused by the construction phases of the development and to reflect the scale and nature of development in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

11. Construction shall be limited to the following hours, unless express permission is granted by the Local Planning Authority for certain activities/specific stages to occur outside of these hours:

- Monday – Friday: 0730hrs to 1800hrs
- Saturday: 0800hrs to 1300hrs
- No working on Sundays and/or bank holidays

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

12. Prior to installation of fixed plant machinery and ventilation equipment, details which shall include installation method, maintenance and management, shall be submitted to and agreed in writing with the LPA. The approved scheme shall be implemented in accordance with the agreed details before the premises are first brought into use and maintained in use thereafter

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

13. If, during development, contamination not previously identified is found to be present at the site, no further development shall take place until a scheme for the investigation of all potential land contamination is submitted to and approved in writing by the LPA which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

Reason: To protect future users of the land from land contamination in accordance with adopted Policy DM7 of the Site Allocations and Development Management Policies Development Policies Document.

14. The noise barrier shown on the Parameters Plan 10402 P002 D shall be installed prior to first use of the development, and maintained thereafter unless agreed otherwise by the local planning authority.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

15. Prior to commencement of development, protective fencing shall be erected around the trees to be retained in accordance with the Tree Retention Removal and Protection Plans (drawings 1693-16-06B; 1693-16-07A; 1693-16-08A; 1693-16-09A; 1693-16-10A) and the submitted Arboricultural Impact Assessment (dated June 2017) . Protective fencing shall remain in place until all works have been completed, unless otherwise agreed in writing by the Local Planning Authority.

Reason: The trees are an important feature in the area and this condition is imposed to make sure that they are properly protected while building works take place on the site in accordance with Policy DM6 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

16. The development shall be carried out in accordance with the submitted Drainage Strategy and Drainage Infrastructure Maintenance and Management Proposal contained within the Flood Risk Assessment (116257/R2.3 dated June 2017).

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water on the site in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

17. No part of the development shall be occupied until a footway / cycleway has been constructed along Rugby Road which links the existing footway/cycleway provision at the junction of Rugby Road with Canberra Way with the new footway to be provided along the A5 between the site and connecting into the M69 J1.

Reason: To provide access to the site for pedestrians from public transport services in the area, and to ensure adequate steps are taken to achieve and maintain reduced travel, traffic and parking impacts and to encourage the use of more sustainable transport choices to and from the site, in accordance with Policy DM17 of the Site Allocations and Development Management Plan Document.

18. No individual unit hereby permitted shall be occupied until a full Travel Plan for that unit, which sets out actions and measures with quantifiable outputs and outcome targets in accordance with the agreed Framework Travel Plan, has been submitted to and agreed in writing by the Local Planning Authority. Thereafter the agreed Travel Plan shall be implemented in accordance with the approved details.

Reason: To ensure that adequate steps are taken to provide a choice in mode of travel to and from the site to accord with Policy DM17 of the Site Allocations and Development Management Policies DPD.

19. Prior to the first occupation of the development hereby permitted, improvement works to the A5 Trunk Road as detailed in DTA Drawing No. 18216-04 Rev E (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the M69 Motorway and the A5 Trunk Road continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising

disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

20. Prior to the first occupation of the development hereby permitted, improvement works to the A5 Trunk Road as detailed in DTA Drawing No. 18216-09 Rev B (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges including those relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the M69 Motorway and the A5 Trunk Road continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

21. The temporary construction access shall be constructed in accordance with the approved plans as detailed in DTA Drawing No. 18216-10 Rev A (or as amended by Road Safety Audit or Detailed Design). The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the M69 Motorway and the A5 Trunk Road continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document..

22. Prior to the first occupation of the development hereby permitted, improvement works to the A5 Trunk Road as detailed in DTA Drawing No. 18216-12 (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the M69 Motorway and the A5 Trunk Road continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

23. Prior to the first occupation of the development hereby permitted, improvement works to the M69 Motorway and A5 Trunk Road as detailed in DTA Drawing No. 18216-14 (or as amended by Road Safety Audit or Detailed Design) must be complete and open to traffic. The approved scheme must comply with the requirements of the Design Manual for Roads and Bridges, including those

relating to Road Safety Audit and Walking, Cycling and Horse-Riding Assessment and Review procedures.

Reason: To ensure that the M69 Motorway and the A5 Trunk Road continue to serve their purpose as part of a national system of routes for through traffic in accordance with Section 10(2) of the Highways Act 1980 by minimising disruption on the trunk road resulting from traffic entering and emerging from the application site and in the interests of road safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

Outline Planning Permission – Conditions

24. An application for the approval of reserved matters shall be made within five years from the date of this permission and the development shall be begun not later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990 (as amended).

25. Approval of the following details (hereinafter called "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced:

- a) The layout of the site including the way in which buildings, routes and open spaces are provided and the relationship of these buildings and spaces outside the development
- b) The scale of each building proposed in relation to its surroundings
- c) The appearance of the development including the aspects of a building or place that determine the visual impression it makes
- d) The landscaping of the development

The development shall be implemented in accordance with the approved details.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

26. The reserved matters submitted under Condition 25 shall be strictly in accordance with the principles and parameters described and illustrated in the Design and Access Statement and the Plans hereby approved.

Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

27. Any reserved matters applications submitted under this permission shall be accompanied by a noise assessment to confirm the need for, and extent of, further noise mitigation measures and any such measures shall be installed prior to the first use of the units covered by the reserved matters application unless agreed otherwise by the local planning authority.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

28. A light impact assessment shall be provided for the final lighting scheme for Development Zone 3 showing compliance with the light levels recommended in the Institute of Lighting Professionals environmental light guidance GN01 for lighting within environmental zone 3 and a statement to this effect submitted by a suitably qualified contractor upon completion of the development

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light to accord with Policy DM7 of the adopted Site Allocations and Development Management Policies Plan.

29. Details of any external lighting for each building within Development Zone 3 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the building to which it relates. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light to accord with Policy DM7 of the adopted Site Allocations and Development Management Policies Plan.

30. Updated ecology surveys are to be completed in support of reserved matters applications for each phase, where original ecological surveys are more than two years old. Each phase shall be accompanied by an ecology survey no more than two years old.

Reason: To ensure the development contributes to enhancement and management of biodiversity of the area to accord with Policy DM6 of the adopted Hinckley and Bosworth Site Allocations and Development Plan Document

Full Conditions

31. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

32. The following soft landscaping plans shall be implemented within the first planting season following occupation of any building within Zone 1 or 2:

- Strategic Planting (inc A5 corridor) to be added

The following soft landscaping plans shall be implemented within the first planting season following first occupation of Development Zone 1:

- Zone 1 (detailed planting on plot) to be added

The following soft landscaping plans shall be implemented within the first planting season following first occupation of Development Zone 2:

- Zone 2 (detailed planting on plot) to be added

Reason: To ensure that the development has a satisfactory external appearance and in the interests of visual amenity to accord with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

33. The landscaping shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance and in the interests of visual amenity to accord with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

34. Development Zone 1 shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Unit 1 Site layout drawing number 14102 P100 Rev F. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework 2012 in accordance with Policy DM10 and DM17 of the Site Allocations and Development Management Policies Development Plan Document.

35. Prior to occupation of any building within Zone 2 for a B2 use, a noise assessment shall be submitted to confirm the need for, and extent of, further noise mitigation measures and any such measures shall be installed prior to the first use of the unit unless agreed otherwise by the local planning authority.

Reason: To ensure the development does not have an adverse impact on the amenities of surrounding properties in terms of noise to accord with Policy DM10 and DM7 of the Site Allocations and Development Policies Document.

36. Prior to first / each occupation of Development Zone 2, full details of the parking and turning provision required in accordance with the land use and nature of operation of the occupant shall be provided to and agreed in writing by the Local Planning Authority. Once agreed the agreed scheme shall be implemented prior to first use of the development permitted and permanently so maintained for the extent of the site occupants' tenure.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework 2012; in accordance with Policy DM10 and DM17 of the Site Allocations and Development Management Policies Development Plan Document.

11.5. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the

process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the 6Cs Design Guide which is available at <https://www.leicestershire.gov.uk/environment-andplanning/planning/6cs-design-guide>

3. Any works to highway trees will require separate consent from Leicestershire County Council as Local Highway Authority (telephone 0116 305 0001). Where trees are proposed to be removed, appropriate replacements will be sought at the cost of the applicant.
4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
5. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the 6Cs Design Guide which is available at <https://www.leicestershire.gov.uk/environment-andplanning/planning/6csdesign-guide>.
6. If there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, then the applicant may require consent under Section 23 of The Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found at the following:
<http://www.leicestershire.gov.uk/Flood-risk-management>