

Planning Committee 10 November 2020  
Report of the Planning Manager

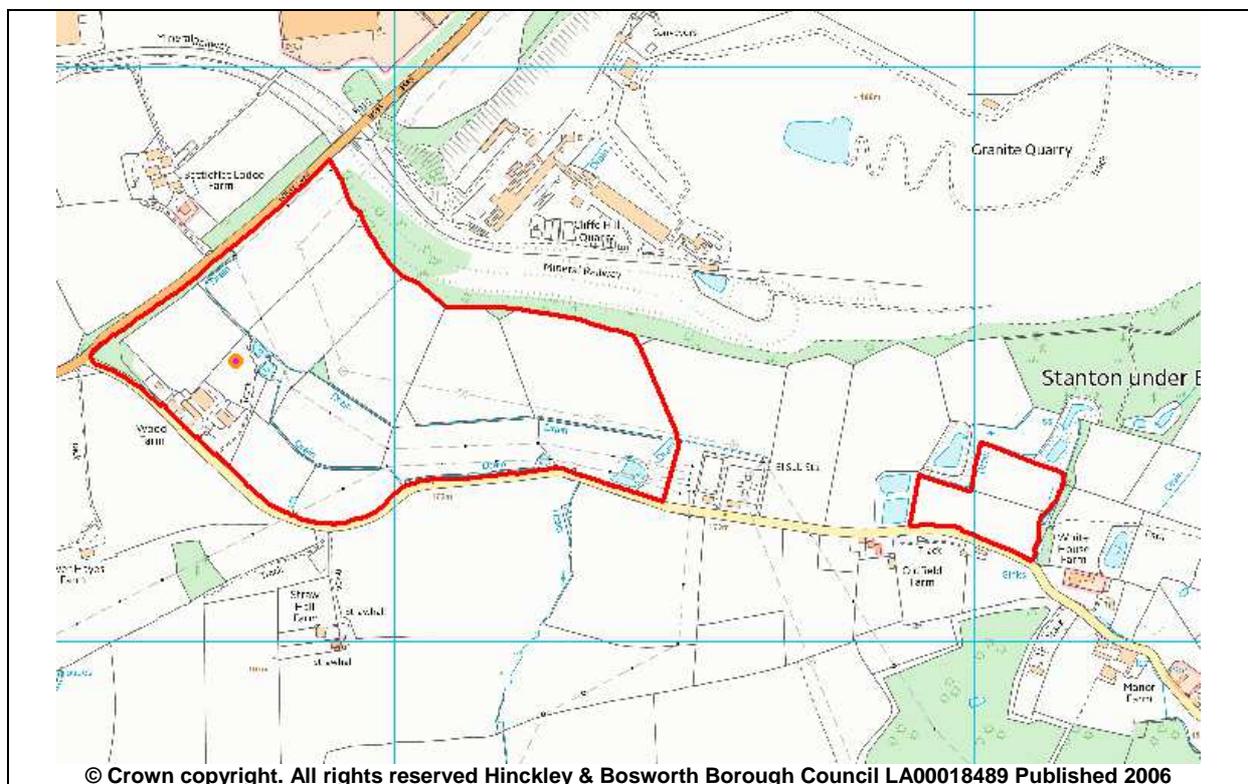


Hinckley & Bosworth  
Borough Council

Planning Ref: 20/00407/HYB  
Applicant: Wood Farm Holdings  
Ward: Markfield Stanton & Fieldhead

Site: Wood Farm Stanton Lane Ellistown

**Proposal: Hybrid application comprising of Outline permission for the erection of buildings for storage and distribution uses (Class B8), general industry (Class B2) and associated infrastructure including the formation of a new access (All matters reserved expect for access) and Full planning permission for the demolition of existing farmstead and relocation, including the erection of 2 replacement farm managers dwellings and associated agriculture buildings and structures**



## 1. Recommendations

### 1.1. Grant planning permission subject to:

- The completion within 3 months of this resolution a S106 agreement to secure the following obligations:
  - Coalville transportation infrastructure strategy contribution
  - National Forest Off site planting
  - Provision of opportunities for apprenticeships and work experience and employment and skills related training during the construction of the development.
  - One travel pack per employee £52.85 per pack from first occupation
  - One six month bus pass per employee £350 per pass
  - Sustainable Travel Accreditation and Recognition Scheme monitoring fee of £11,337.50

- Improvements to surrounding rights of way
- Planning conditions outlined at the end of this report

1.2. That the Planning Manager be given delegated powers to determine the final detail of planning conditions.

1.3. That the Planning Manager 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 planning permission for:

- Outline permission (access only) for the development of up to 114,200sqm a B2 (Industrial) and/or B8 (Storage and Distribution)
- Full planning permission for the relocation and erection of farmstead

2.2. The application site comprises of two areas of land situated along Stanton Lane, this comprises of a total of 35.48 hectares which is split into 32.6 hectares for the main site proposed for the employment development, and 2.88 hectares for the proposed farm site.

2.3. The proposed farmstead would comprise of full consent for two new two storey dwellings and five associated farm buildings. The farm yard would comprise of two cattle sheds, bull pens and calf pens, grain store and a steel framed workshop. The southern half of the proposed farmstead would comprise of the two farm managers dwellings, located either side of the access road, which would extend beyond a centrally located hedgerow into the farm yard situated to the northern part of the site. The scheme proposes additional planting and balancing pond to the towards the south east corner incorporating the existing public right of way (R9). Access would be taken from Stanton Lane.

2.4. The outline scheme seeks to develop up to 114,200 sqm of employment use across the site, which would be divided in to three sections. The application proposes a maximum ridge height of 21 metres in areas 1 and 2 (west and central areas of the site) and 18 metres in area 3 (eastern portion of the application). The main access to the site would be in the form of a new roundabout from West lane, situated to the north west corner of the application, with a secondary 'left in/right out' only junction from Stanton Lane, which would be restricted to cars and motorcycles to serve the unit within Area 1.

2.5. The proposed parameters for the outline scheme also includes a landscape buffer to the edge of the application, and would include National Forest Planting and footpath link through the site.

2.6. The application is supported by the following technical documents:

Design and Access Statement  
 Minerals Assessment  
 Arboricultural Impact Assessment  
 Topographical Survey  
 Transport Assessment  
 Framework Travel Plan  
 Planning Statement  
 Noise Report  
 Lighting Report  
 Landscape and Visual Impact Assessment  
 Ecology Survey  
 Illustrative Landscape Strategy

Archaeological Geophysical Survey Report  
Ecological Impact Assessment  
National Forest and Access Statement  
Utilities Assessment  
Flood Risk Assessment  
Employment Market Report  
Economic Statement  
Employment land Sequential Assessment

### **3. Description of the site and surrounding area**

- 3.1. The application site is situated to the south west of West Lane (B585) and to the north of the Stanton Lane. Situated to the East of Stanton Under Bardon, situated outside any defined settlement boundary. To the north of the application site is Cliffe Hill Quarry, with areas of woodland and agricultural land to the south. There is a group tree preservation order (Ref W4) which is situated to the north west boundary of the application. To the north west is an established employment development with a solar farm to the south west. The application site is situated outside any settlement boundary and within the National and Charnwood Forest.
- 3.2. The main site is negotiated by a number of overhead power lines which originate from an electricity substation located beyond the east boundary, and supported by steel framed pylons. The existing farmstead is made up of two dwellings, known as Wood Farm and Bramblewood, and a number of agricultural buildings and structures, which are of brick and slate, developed over time following the growth and need of the farm. The application site comprises of a number of irregular agricultural fields separated by hedgerows and trees.
- 3.3. There area number of public footpaths in proximity to the site. Grange Walk, R114 and R31 are situated along the north east and south of the larger of the two application sites, and footpath R9 cross the farm site to the south east corner.
- 3.4. Levels across the application site vary, with a high point of the site positioned in the northern boundary of site, with an approximate level above Ordnance Datum (AOD) of 193 metres. The lowest point recorded is situated adjacent to a pond located in the south east corner which is at a recorded level of 161.5 metres AOD.

### **4. Relevant planning history**

#### **14/01220/FUL**

- Extension of existing livestock building
- Permitted
- 09.03.2015

#### **19/00507/SCOPE**

- Proposed employment development of land east of Stanton Lane (Wood Farm), Bardon
- Opinion Issued – Environmental Impact Assessment not required
- 29.05.2019

### **5. Publicity**

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. The application has received 56 objections raising the following matters:
1. The socio-economic statement is unconvincing

2. Developers would gain profit but the area would not gain any, with the loss of fields and National Forest
3. Lorries and cars take short cuts through Stanton under Bardon
4. This development would add even more traffic to existing roads which cannot cope with the amount of traffic
5. Considering moving out of the area due to the development in the local areas, resulting in pollution
6. Planning should not be proceeding when Covid 19 is still about
7. Green belt for warehousing should not be sacrificed
8. There are many empty warehouse on Interlink and the development at interlink south
9. It will bring little benefit to the area
10. Wood Farm is agricultural land situated in the National Forest, and its development would be contrary to the Government aims of planting millions of trees and lower CO2 levels
11. The development benefits primary overseas' investors interests at the detriment to the well being of the local community
12. The development would add to the CO2, and particulate pollutions from the extra transport contributing to poor health and environment deterioration in the areas that has suffered from poor health and deep pollution cause by the mining industry
13. Loss of privacy
14. Loss of visual amenity
15. Parking and turning will only meet the current guidelines and not meet for future growth
16. Will result in congestion and more accidents in the exiting layout and lead to faster traffic if future changes favour more lorries at the cost of local traffic
17. Adverse impact due to noise
18. Traffic generation will have an impact upon the health of residents in the new dwellings along the A511 near the white horse roundabout
19. Increase use of hazardous materials to the environment
20. Loss of trees
21. Design and appearance unsympathetic to locality and National Forest
22. Landscaping will sterile wildlife as it will be low cost and easily maintainable
23. There is little to no unemployment in Stanton and therefore this would not be a benefit
24. The road will become a rat run, it is dangerous as it is
25. Already lost agricultural land to solar panel and forest, once this is developed it will be lost forever
26. HBBC declared a 'Climate change emergency' in July and has committed itself to taking action to help the Borough become Carbon Neutral by 2030
27. Main Street is effectively one way due to the on street parking, this makes access difficult and obscures views

28. This development is not within the settlement boundary and is within open countryside
29. Contrary to Core Strategy Policy 12, which only supports home working and other small scale employment uses
30. Development would be contrary to Policy DM2 of the SADMP, the development would irreversibly damage the landscape harming the visual aspects of the surrounding area
31. Contrary to Policy DM4, the intrinsic value would be destroyed, beauty and open character and landscape character of the countryside will be removed
32. Even at year 15 with the tree growth the visual impact from neighbouring properties is completely overwhelming
33. Fields east of the substation on both sides of the lane should be planted with trees to help shield nearby residents
34. Cross sections and view points are miss leading, buildings of such scale can not be hidden successfully
35. Does not complement the character of open countryside contrary to DM10 of the SADMP
36. The rebuilding of the structures in the proposed location will devalue the character of the area and destroy two lovely pastures, contrary to Policy DM14 of the SADMP
37. The new development would not be in the curtilage of the existing dwelling, it would be sited over 1km away contrary to Policy DM14
38. The emerging neighbourhood plan is at an advanced stage but is not yet formally part of the development for the area, however if approved a precedent would be created allowing similar developments down the lane. This site is not part of that plan
39. There is a low unemployment rate locally employees will come from outside the area, and lead to an increase in transport
40. Access of the relocated farm will increase vehicles over 1km along the lane passing close to existing homes
41. Contrary to the aims of the NPPF
42. Conflict between vehicles, pedestrians and cyclists will occur due to increased traffic
43. The development would adversely impact upon the footpath along the quarry bank
44. Proposed money towards infrastructure would not be available for years and the improvements will be carried out years after the development, leaving a struggling infrastructure
45. The second consultation with residents was during lockdown and online only excluding residents without internet access
46. Development would not appear sympathetic to the local character or history
47. The proposal plan and building types and materials are not welcome east of the B585
48. Contrary to the National Forest Strategy
49. Identified as important views in the draft neighbourhood plan

50. Contrary to Policy BE2, ENv2, ENV3, ENV6 of the Neighbourhood Plan and therefore should be refused
51. There is not a local need for this site, it has not been identified contrary to Policy 17 of the Core Strategy
52. Focus for rural villages is limited development with the aim of ensuring existing services, this development would not secure existing services or maintain community cohesion
53. Traffic survey was carried out with abnormal weather and is not a true reflection
54. Road speeds are much higher in dry weather and should be carried out again
55. This development would jeopardise the restoration of the quarry
56. Fig 5 of the Landscape character assessment (light and pollution) clearly demonstrates the development site is already compromised, achieving the highest level of light pollution, and doesn't take into account Bardon 2
57. Water contamination
58. Spread of disease in livestock
59. Contamination due to run off from construction vehicles
60. The farm relocation should be as close as possible to the existing site
61. Entrance from the farm is close to existing homes and would cause disruption with agricultural vehicles
62. Highways have recommended refusal in the past along Stanton Lane due to the increase in turning traffic causing a highway danger
63. There has been no demonstration of a lower speed level for this section of road which requires a splay greater than demonstrated
64. The dwellings are unnecessarily large
65. Diverting R9 would exit it onto a dangerous part of the road and is located adjacent a watercourse
66. Proposal contradicts the landscape character type for the area
67. Noise and light pollution would impact upon wildlife thriving
68. Human rights act article 8m states that a person has the substantive right to respect for their private and family life. In the case of Britton vs SOS the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. It therefore not only encompasses home but also the surroundings
69. The area has already had too much development
70. No proven need for additional warehousing on non brownfield land
71. There is warehousing that has been empty and to let since 2016
72. Loss of hedgerows which are more than 100 years old and are a home environment for species dependent upon the hedgerows
73. Significant wildlife corridor for wildlife to move between Billa Barra reserve and the National Forest around Bagworth
74. The development would not support strong, vibrant and healthy communities by removing the opportunity for the supply of housing required to meet the

needs of the present and future generations and could prevent any future creation of a high quality built development with accessible local services

75. National Forest strategy is to create a National Forest between Needwood in Staffs and Charnwood Forest in Leics. Charnwood Forest is a traditional working landscape, home to farms and quarries with diverse ecology. Also provides an aesthetic contribution, it is used for walking, cycling and rock climbing
76. Stanton under Bardon is identified as a Rural Village in the Core Strategy, the proposed development is contrary to the objectives set out
77. Stanton under Bardon has limited services and are not sustainable, as a result car travel is required in most cases to access employment and day to day living. Given the distance, the unlit nature of the roads it is unlikely employees would walk or cycle
78. Traffic would divert through Stanton under Bardon to avoid the A511
79. The B585 should be the boundary to stop further encroachment
80. The development is contrary to the Development Plan Policies and the NPPF
81. The development would adversely affect the future benefits of the restoration of the quarry site
82. The development is contrary to Policy DM4 of the SADMP
83. The application is far in excess of the needs for warehousing and distribution purposes as expressed in the Leicester and Leicestershire Joint Position Statement on Housing and Employment Land Supply 2011 – 2031
84. Other applications in the area for domestic buildings have already been refused, due to impact upon the character and landscape contrary to Policies DM1, DM4, DM10, DM17 and DM18 of the SADMP
85. There will be nothing to stop further development if this is approved
86. The development will sit on top of a hill and will be seen for mile
87. There will be light pollution
88. Will not offer permanent sustainable career opportunities, low paid zero hour contract workings which will be brought in from surrounding towns and cities
89. The farmstead will bring the cattle sheds which can hold a total of 250 animals, within 500 metres of Preston Close, which with the westerly winds, villagers will be subjected to noise
90. The two farm houses are overly large, 173sqm compared to the average 3 bed property of 130sqm
91. The Employment Land and Premises Study HBBC states the borough has enough land to meet the requirements inclusive of a 5 year buffer
92. Stanton Lane and Ellistown Lane are used by ramblers, Duke of Edinburgh award scheme, dog walkers, horse riders etc. it has been a lifeline during Covid 19, and the development would have an adverse impact upon health and Stanton's rural nature
93. The EIA proforma concluded that the land in question was not a regional or national importance and the quality of the site not considered to high with regard to the landscape or environmental value, which is not the case

94. Specific strategies for Stanton were to promote a positive landscape including woodland planting
  95. It is unique having some of the oldest rocks on Earth, thrown up by volcanic activity, the rocks have many fossilised remains of the first moments of complex life and can only be found in a handful of places
- 5.3. One letter has been received neither objecting nor supporting raising the following points:
1. There is a declared Climate Emergency, and given the position of the logistics in the 'Golden Triangle', one of the most important things we can do locally to tackle climate change is to work to shift freight movement around the UK away from road and HGVs
  2. There would be additional HGV and traffic generated on local roads, creating pollution, congestion, pollution and road safety
  3. There is currently work being done to get the Ivanhoe train line reopened in this area, if this is reopened it would run within a mile of the area, an arm of which would be in close proximity and this rail link should be explored
  4. Should permission be granted conditions should seek that and put in place a freight plan to support modal transfer
  5. Put in place a bus service, to fit shift patterns and provide funding to increase and expand the existing services
  6. S.106 money to help pay for a passenger train station, so workers of the new development can come by train once the line is re-open
- 5.4. Two petitions have been received; one signed by residents of Stanton Under Bardon and a second online Petition through Change.org. The petitions have been signed by a total of 982 signatures at the time of writing this report. The village petition was carried out prior to the formal application being submitted; the online petition also started prior to the formal submission of the planning application and initially identified the scoping application, however this petition has remained open at the time of writing the report. Additionally the online petition does not meet the requirements that the Local Planning Authority would normally accept as they do not contain full postal addresses. 43 Letters of support have been received and have raised the following points:
1. Creation of jobs
  2. Coalville suffers from a lack of funding and now there are COVID restrictions
  3. Increased employment should benefit the local economy and improve the standard of living
  4. This application presents an opportunity to meet the growing demand for logistic schemes in the Midlands
  5. The Midlands is a location of choice for logistics, and logistics and distribution makes significant contribution to the UK economy including the East Midlands, which benefits from excellent transport connections and strong local labour market
  6. This site is located in the 'Golden Triangle' for logistics, with nearby employment developments demonstrating the potential for this area to support further growth

7. The applicant has demonstrated that this development would create up to 1500 much needed jobs, as well as 575 construction jobs, and 430 jobs supported in the local economy
8. In a time of uncertainty and potential job losses, it is increasingly important that new employment schemes are delivered to support future growth and employment for local people
9. Exiting local employers are actively seeking a new site to retain existing local workforce, who have been in the vicinity in excess of 15-20 years
10. There are limited existing premises available of suitable warehouse space
11. It would be an advantage for the farmstead to have purpose built grain store facility as it will allow them to store grain and take advantage of the market fluctuations over the 12 month period
12. The farmstead has stood the test of time with the challenges of British farming, the proposed farmstead would allow for efficiencies and champion its food production standards
13. Improved animal welfare
14. Less waste with the forage and grain kept in better conditions with modern storage facilities
15. Lower running costs
16. It is essential for the herd to have stockman on the farm 24 hour a day to detect problems and either intervene themselves or call for the vet, and when a cow is calving having both brothers on the farm to assist is essential
17. Sustainable employment and better footpath links to the National Forest.
18. The well designed dwelling houses will enhance the surrounding area and the farm building will enhance the rural character and appearance of the surrounding area
19. There is a huge demand for growth and growth requires long term sustainable employment, to which this development would provide
20. Industrial warehousing helped create the east midlands
21. The development is already sited surrounding by active industrial activity, quarrying, pipe/brick works, solar farm, warehousing and electrical distribution
22. Working the fields for farming is difficult due to the pylons and poles, which makes it difficult with large agricultural machinery
23. The land is also not too viable for growing of crops due to its nature
24. The development would not alter the areas character this is now a growth area and should be development responsibly and for the long term prosperity of the county
25. It would keep the industry concentrated in areas that are already well developed with existing road access links and al associated infrastructure and enable the local economy and country to prosper
26. Logistic parks developed have more positives than negatives
27. Jobs in the area are required especially for the younger generation who are losing their jobs due to Covid 19

## 6. Consultation

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

- HBBC Environmental Services (Pollution)
- HBBC Waste Services
- Leicestershire Police
- Severn Trent Water
- HBBC Drainage
- LCC Ecology
- LCC Archaeology
- Highways England
- LCC (Highways)
- LCC as Lead Local Flood Authority
- Coal Authority
- LCC (Minerals)
- Natural England
- National Forest

6.2. Stanton under Bardon Parish Council have objected on the following grounds:

1. The proposed development does not meet the three strands of sustainability as set out within the NPPF
2. There is surfeit of warehousing, which can be demonstrated by warehousing that has been empty and to let since 2016, and the construction of additional warehousing, such as tungsten park, Bardon, units at Ashby and Castle Donnington have provided ongoing availability
3. Social role is not relevant as the development is not housing
4. The development results in the loss of hedgerows which are over a 100 years old and habitat for species. Forms a significant corridor for wildlife to move between Billa Barra reserve and the national forest around Bagworth, therefore does not meet the environmental aim
5. Core Strategy 12 supports enabling home working and other small scale employment uses within the rural villages, this development is not small scale
6. The application does not comply with saved policy BE1 of the local plan, which includes key design issues
7. The site is situated within the Charnwood Forest which is viewed as an important landscape for the region and of particular beauty
8. Charnwood Forest is a traditional working landscape, home to farms and quarries, with diverse ecology. As well as the aesthetic contribution the forest makes, it is also used for walking, cycling and rock climbing
9. The application site is an important link into the greater area of Charnwood Forest and provides connectivity between the National Forest and the Charnwood Forest
10. The aim of the Core Strategy in protecting and enhancing the boroughs diverse landscape is relevant still and should be adhered to

11. Spatial Objective 1 of the Core Strategy seeks to strengthen and diversify the economy by providing sufficient, sustainably located, good quality land and premises. The focus for new employment will be Hinckley, reflecting its status as a sub regional centre and in Earl Shilton and Barwell to support the regeneration of these areas, with smaller scale employment in the key rural centres. The development is contrary to this objective
12. Identifies that Hinckley is the development area and identifies only 10 hectares required for warehousing, this has been massively exceeded in the Bardon area
13. Development would not secure existing services. The majority of employees would travel by car. This proposed development would not enhance existing services or maintain community cohesion and the applications should, therefore, be refused
14. Development under consideration would adversely affect the future benefits of restoration of the quarry site
15. The development would not meet the aims of Policy 22 of the Core Strategy
16. The development fails to meet Policy DM4 SADMP in several areas, in particular points (a), (b),(c),(d),(e)(i), (ii), (iii) and (v)
17. The development fails to meet Policy DM10 of the SADMP specifically points (a),(b),(c),(d),(e)
18. The proposal is contrary to Policy DM20 where allocated employment areas will be supported where they stand within settlement boundaries or on previously developed land
19. Leicester & Leicestershire Joint Position Statement on Housing and Employment Land Supply 2011 to 2031 Adopted March 2018 states in terms of the need for strategic warehousing/distribution land, the position across Leicester and Leicestershire, again as at March 2017, is that 98ha has been built out, a further 322ha has the benefit of planning permission and 135ha is allocated for development. This represents a total of 555ha against the minimum requirement figure of 361ha. Therefore due to oversupply this application should be refused.
20. The Council has a duty to be consistent in determining application. Application 16/00592/OUT was refused for 2 dwellings due to the unsustainable location, which would harm the intrinsic value, beauty, open character of the area
21. There is a duty upon the Borough Council to be consistent in its decisions. See North Wiltshire District Council v Secretary of State for the Environment (1993) 65 P & CR 137: "One important reason why previous decisions are capable of being material is that like cases should be decided in a like manner so that there is consistency
22. Stanton under Bardon has been collaborating with Bagworth and Thornton Parish Council to create a Neighbourhood plan. The community expressed a clear desire to protect what is special about the parish. Its countryside setting and quiet peace of a woodland dominant landscape are seen as being particular important
23. The neighbourhood plan is not yet made, should be taken into account
24. Tuesday 16 July 2019, Hinckley & Bosworth Borough Council declared a 'Climate Emergency'. The loss of 12.8 hectares of agricultural land is not

conducive to “green” issues. It is the Parish Council’s submission that the loss of this agricultural land is not conducive to meeting the aims of the Borough Council

25. The erection of a new farm complex necessitates the loss of more agricultural land
26. The location of the farm access is on a part of Ellistown Lane which is deregulated with regard to traffic speed
27. Slow and large farm traffic exiting the site would present a hazard to road users
28. The application proposes two farm managers’ 3-bed properties are large at 173 sq metres given that the average size of a 4-bed property in the UK is now 147 sq metres and it is the opinion that these two properties would be an intrusion into the countryside
29. Dwellings should be restricted to farm managers only
30. B585 road which divides Bardon 2 from Bardon 3 forms a significant boundary Bardon 3 would form a significant intrusion into the open countryside and would make any future applications difficult to refuse
31. Stanton Lane will result in a “rat run”, avoiding the daily traffic queues at the Stardust junction and the Flying Horse junction of the A511
32. Transport Assessment, the applicant states “psychologically, once on the B585, it is more likely they will remain on that route than going back to Stanton Lane”. Once employees experience the regular and extensive queues on the A511, they will readily turn towards Stanton under Bardon
33. The “planned” improvements to the A511 by Leicestershire County Council are in planning stages only and are subject to Government finance. No improvement to the junction at Stardust is planned within the scheme (despite it being a bottleneck) and the proposals for the Flying Horse island have not been agreed. In any event, it is not envisaged that the works will be completed until 2025 at the earliest
34. There is no funding allocated to these infrastructure projects from central government
35. Aldi planning application for the former colliery site expects to generate 122 two way traffic movements in the am peak and 98 two way movements in the pm peak, Bardon 3 was not factored in
36. Given the likely downturn in the economy demand for warehousing likely to reduce
37. There is no provide made for lorry waiting, pallet stacking or refuelling
38. At certain times, Pall Ex Logistics causes significant delays on the B585 with vehicles waiting to gain access to their site
39. “Providing for Journeys on Foot” identifies a maximum walk distance of 2km for commuter, school and sightseeing walk trips. The site is outside of this area when measured from Stanton under Bardon. Given the rural nature of the road, and the fact that the roads are mostly unlit, it is highly unlikely that

employees from Stanton under Bardon or elsewhere would walk or cycle to the site

40. The 120 bus service does not now run. This has been replaced by the 125 service which has further reduced the bus service to Stanton under Bardon, with no buses between Stanton under Bardon and Ellistown either before 0915 or after 1830 and none on Sundays, it is unlikely that workers from the village, or elsewhere, would use the bus network to travel to work
  41. In 2014 Andrew Bridgen MP stated in the House of Commons “the economic growth in North West Leicestershire which is the highest in the country at nearly 5% and with an unemployment rate less than 2%”. This leaves the area with a low number of locally available workers, resulting in the use of buses to bring in workers from outside the area to, for example, the Amazon site
  42. The statement of community involvement states that the majority of those attending the exhibition responded that they considered the landscaping proposals would substantially screen the development – the break down was 19 for No, 6 for Yes and 9 for Don't know, this does not represent the majority
  43. Second consultation took place after the Covid-19 lockdown was implemented, resulting in only a few comments to Oxalis
- 6.3. Markfield Parish Council have objected on the following grounds:-
1. Increased traffic though the village
  2. Already alternative available sites at Bardon Business Park and other locations
  3. Bringing existing industrial site closer to the village would have an adverse impact of the quality of the residents lives
  4. Potential for this to lead to further development closer to the village, with a detrimental impact on the residents
- 6.4. County Councillor Peter Bedford has objected to the application on the following grounds:
1. Increased traffic through the village
  2. There are already alternatives available at Bardon Business Park and other such locations
  3. The bringing of existing industrial site closer to the village with an adverse impact of the quality of residents lives
  4. The potential that this development would lead to further development close to the village with a detrimental impact upon the residents of Stanton under Bardon
- 6.5. Councillor Matthew Lay has objected to the application on the following grounds:
1. This application should be refused on policy grounds as it provides little economic gain but would bring maximum environmental harm
  2. The application site is situated in both the Charnwood and National Forest designated areas and is open countryside as listed in the current Local Plan which is still the primary document for development in HBBC
  3. During the development of the last local plan the Council was careful to allow for limited expansion of the Bardon industrial estate while keeping that

expansion to the west of the B585 recognising that this road presents a natural limit to industrial expansion and provides a buffer between the estate and the established settlement of Stanton under Bardon

4. This application would seek to rubbish the local plan and its policies and would do untold harm to the nature of the area east of the B585
5. It is designated open countryside and should be protected for its own sake
6. The has important local features including mature hedgerow and stone walls which are key environmental features and havens for wildlife
7. The economic weight of such application can be used to override the status of the land, and this should not happen in this case
8. The proposal would bring few economic benefits to the area
9. There is already surplus of this type of the warehousing in both Leicestershire and HBBC
10. The employment opportunities are limited and tend towards temporary low wage employment drafted in from Leicester
11. The economic impact is harmful to the local economy as it leaves the local economy unbalanced and dependent on this economic activity which is harmful to the environment and community
12. The dominance of warehousing also brings a further intolerable increase in traffic movements onto the A511 and with it an increase in air pollution
13. The traffic is likely to travel past a potential air quality management zone at the Flying Horse in Markfield which is a material consideration
14. HBBC are committed to creating a net zero authority, this application would made a mockers of such commitment

## **7. Policy**

### **7.1. Core Strategy (2009)**

- Policy 12: Rural Villages
- Policy 17: Rural Needs
- Policy 21: National Forest
- Policy 22: Charnwood Forest

### **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 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) (2018)
- Planning Practice Guidance (PPG)

#### 7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Employment Land and Premises Study (2020)
- Landscape Character Assessment (2017)
- Landscape Sensitivity Assessment (2017)
- Leicester and Leicestershire Housing and Economic Development Needs Assessment (HEDNA) (2019)
- Leicestershire Highways Design Guide

### 8. Appraisal

#### 8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon Cliffe Hill Quarry and safeguarding minerals
- Design and impact upon the character of the area
- National Forest
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon Public Rights of Way
- Impact upon Trees
- Ecology
- Impact upon Archaeology
- Drainage
- Noise and pollution
- Planning obligations

Assessment against strategic planning policies

#### 8.2. This application proposal is in two parts,

- i) An outline scheme covering 32.6 hectares for the development of buildings for B2 industrial and/or B8 distribution logistic uses at Wood Farm.
- ii) A full application for a replacement farmstead, including agricultural dwellings and associated farm buildings, which would comprise a total area of 2.88 hectares.

8.3. Paragraph 2 of the National Planning Policy Framework (NPPF) (2019) requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

8.4. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise.

8.5. The relevant development plan documents in this instance consist of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP). However Policies in the Core Strategy and the SADMP are accepted to be out of date as are focussed on the delivery of a lower housing requirement than as determined using

the Standard Methodology set by MHCLG. Therefore paragraph 11(d) of the NPPF is relevant to this application whereby permission should be granted unless adverse impacts would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

- 8.6. The policies within the development plan however remain consistent with the framework and are therefore accorded significant weight in the determination of applications.
- 8.7. The emerging Markfield Neighbourhood Plan, is only at the pre-submission (Regulation 14) stage and currently out for public consultation. Therefore only limited weight can be afforded this emerging document.

#### Proposed Employment

- 8.8. The northern and majority of the application site, comprising of approximately 32.6 hectares would replace the existing farmstead and proposes a development of up to 114,200sqm of general industrial (B2) and or logistics (B8) employment floorspace.
- 8.9. 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.
- 8.10. 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
- 8.11. The Employment Land and Premises Review (2020) (ELPs) is an evidence based assessment of the supply, need and demand for employment land and premises (use class B) in Hinckley and Bosworth. The study considers the borough has sufficient overall supply of employment land to meet the Objectively Assessed needs of the Borough of 62.48ha up to 2036. However there is an over emphasis on supply for strategic areas and a lack of local options. To allow for this the study recommends that the Council consider further employment land allocation, primarily to meet the needs within the Borough.
- 8.12. The Hinckley and Bosworth Housing Needs Study, 2019 identifies that the projected housing growth rate of 457 dwellings/ha will create an additional resident labour force of 5,870 jobs over 2018 (not 2019) to 2036, which generates a need for 61,765sq of floorspace of 15.84 ha of land. However it is important to note that this

figure represents the employment land requirement specifically from these 5,870 extra jobs and is not a forecast of OAN for the whole Hinckley and Bosworth economy. However, it does illustrate the economic impacts of the projected housing growth rate of 457 dwellings/ha. The study identifies local options for growth for Hinckley/Burbage/Barwell and Earl Shilton.

- 8.13. The Call for Sites SHELAA exercises have put forward 30 potential sites/areas totalling 612.94 ha, for B-Class uses (often alongside other options). However 16 sites put forward considered by the study deemed unsuitable, with 14 sites deemed suitable. The application site is identified within this study, and recommends that the site *“represents a strong candidate for inclusion. Located close to Bardon, the focus for development Borough and proposed for larger B2/B8 uses it would continue the momentum of development commenced by Mountpark I and II scheme, to the north. Further ongoing demand for such uses is reported here. The site/area is large enough and of a regular shape which could support a new group of strategic scale B2/B8 employment units.”* The study recommends that although a potential site it is constrained by the existing powerlines which would need to be redirected and would need to be viably mitigated.
- 8.14. The most recent Employment Land and Availability Monitoring Statement 2017 – 2019 provides a basis for monitoring the relevant Local Plan policies with regards to delivering sustainable economic development and employment land in the borough and sets out the net gains or losses of employment development across the borough at 1st April 2019. It identifies that there has been a positive gain of 10.98 hectares of employment land within the rural villages and hamlets, ranging from small scale to large scale proposed at Nailstone Colliery, Wood Road, Nailstone, meeting the requirement of the Core Strategy, there has also been a considerable net gain of floorspace on existing employment sites within these settlements, primarily due to the commitment of new research and development facilities at MIRA, Higham on the Hill.
- 8.15. As previously discussed, the ELPs (2020) provide an evidence base for Hinckley and Bosworth specific needs. The Housing and Economic Development Needs Assessment (HEDNA), produced on behalf of the Leicester and Leicestershire Authorities and the Leicester and Leicestershire Enterprise Partnership in January 2017, also assesses employment land requirements both local and strategic, for Hinckley and Bosworth Borough over the period to 2036. The HEDNA identifies the specific need for employment land, and in addition to that set out in the table below, Local Authorities will also need to seek to meet the need from strategic B8 uses.

**Table 83: Employment Land Needs (Ha)**

	2011-2031			2011-2036		
	B1a/b	B1c/B2	Small B8	B1a/b	B1c/B2	Small B8
Leicester	2-6	36	15	3-7	45	19
Blaby	37-45	15	10	47-48	19	12
Charnwood	14-37	21	11	17-40	26	13
Harborough	14-21	22	8	17-24	28	9
H&B	11-32	14	16	13-34	17	20
Melton	10-18	21	14	10-23	26	17
NWL	45-46	3	17	50-56	4	21
O&W	1	0	4	2	0	5
<b>FEMA</b>	<b>142-198</b>	<b>132</b>	<b>93</b>	<b>177-215</b>	<b>165</b>	<b>117</b>

Source: GL Hearn, 2016

- 8.16. The assessments states that Leicestershire authorities are strategically located at the centre of the UK and see strong demand for logistics/ distribution floor space and shows a strong market demand for additional B8 development. The assessment identifies a need for small scale B8 development also (less than 9,000 sqm).
- 8.17. The Site Allocations and Development Management Policies DPD implements the policies within the Core Strategy and contains policies to help guide new employment development and protect existing employment floor space.
- 8.18. The application site is outside of any defined settlement boundary and is not immediately adjacent to an existing employment site. However it is noted that to the north west of the application site on the opposing side of west lane, is an employment development which is currently under construction, with an allocated employment site beyond, off Beveridge Lane, Interlink Distribution Park (Ref: STA20). This site is identified within the Employment Land and Premises Review as a category A site, meaning it is a key employment site to be retained.
- 8.19. The application has been supported with a Social Economic Statement, which includes a sequential test of available land as well as a marketing report by CBRE. The marketing report considers the existing supply and current demand for named active occupier requirements that are unable to satisfy requirements due to lack of existing buildings, who would be forced to look further afield. The report concludes that the take up of new build has exceeded supply and overall availability of 100,000sqft units nationally have decreased through 2019. Demand continues to rise due to the changing consumer habits, and the overall availability of 100,000sq ft units nationally has decreased. However demand is being driven by the growth of the online retail sector due to the changing consumer habits, with the continued shift from high street towards e-commerce, creating a growing demand for distribution space.
- 8.20. The report identifies that the site has strong locational credentials with a market demand. It is identified and acknowledged that there are existing large employment sites in Hinckley and Bosworth Borough, in particular MIRA, which is in excess of 34hectres, which is a technological park. This site however is identified as not suitable for traditional B2 or B8 uses and could not be accommodated without undermining the existing economic strategies of the Leicester and Leicestershire Local Enterprise Partnership. A side from this there is also an approved large scale site known as 'Hinckley Park' which is situated to the east of Junction 1 of the M69 with a total of around 55hectare site, which is being marketed to target a range of large scale and smaller scale industrial and distribution occupiers. The site is already committed by DPD where a large scale distribution centre is due to open shortly. There is also a further large scale distribution unit which is also under construction with a secured occupier, leaving 7 hectares being targeted towards B1c light industrial and B2 industrial operators providing approximately 41,000 sqm across a number of small buildings to meet more local employment needs. This site does make a direct contribution to the employment land supply in the Borough. However the site is not situated in close proximity to existing to an existing industrial and logistics park, which is a key characteristic which the HEDNA reports to help with a specialised workforce.
- 8.21. The CBRE Report does acknowledge the vacant Interlink 225 site nearby but goes on to explain that it has remained empty for some time due to its specification of the building which lends itself to bulk storage rather than the through put of goods which is more appropriate for the retail market, which is identified as where much of the current demand originates. However it should be noted that this building is

under offer from an occupier. There has also been the recent sale of Nailstone Colliery to Aldi, but there maintains to be occupiers in the local area which are unable to satisfy requirements of the business needs due to the lack of existing buildings or land.

- 8.22. It is identified through the submission and supporting report that the application site occupies a strong locational credential, situated in what is known as the 'Golden Triangle' with links to the A511 and Junction 22 of the M1 all being in close proximity to the application site. The applicant is also able to provide and identify a comprehensive list of named occupiers with interests in the locality and who have declared an interest, due to the lack of available space for large unit occupiers, including a local established business seeking a larger premises. Four of the twelve named operators are currently active within the local area, and are unable to satisfy requirements due to lack of existing buildings, who will be forced to look further afield to satisfy requirements which would result in a decrease of employment opportunities for the area.
- 8.23. The size and mix of the proposed unit would be a matter for a reserved matter, however indicative plans which accompany the application identifies three larger units are capable of being accommodated on the application site. The parameters plan which accompanies the application demonstrates that the max floor area to be accommodated on site would be 114,200 sqm equating to approximately 1500 full time equivalent jobs (Calculated using Homes and Communities Agency, Employment Density Guide, 3<sup>rd</sup> Edition and evidence from other desk based research on employment yield), being delivered through the development. The construction investments of the proposed development are estimated to be £80million, with a proposed two year construction period the development would support 575 construction jobs. As well on site employment, it is estimated that once operational the scheme could generate additional off site benefits from both the corporate supply chain and employee expenditure within the wider economy.
- 8.24. To support and raise the level of local skill set within the workforce, the applicant will seek to promote local employment opportunities and where possible encourage and facilitate learning, through the provision and agreement of a Local Employment Training Strategy. This will be committed by way of a Section 106 to provide young people with a chance to gain valuable site and project related experience, specially targeting the unemployed Hinckley and Bosworth Borough Council residents and job seeking local students. This seeks to maximise the labour pool so that local unemployed people and local job seeking students have access to available job opportunities. The applicant would work in partnership with Hinckley and Bosworth Borough Council to facilitate this economic regeneration, ensuring vacancies and recruitment exercises are advertised in the context. However based on past work trends, it is estimated that 800 jobs from the 1500 full time jobs are likely to be staffed by residents within a 10km radius, therefore directly benefiting the Borough.
- 8.25. 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. The application has been accompanied by a Soil Resource and Agricultural Land Quality study which surveyed 47.9ha of agricultural land, of which 9.4ha is undisturbed agricultural soils along the southern margin, a total of 35.7 ha of the land to the north of the site was remodelled in the 1980s on extension of the Cliffe Hill Quarry which is positioned to the north of the application site. This development would result in the loss of approximately 47.9 ha of agricultural land, 23% is Subgrade 3a (Good), 71% Subgrade 3b (Moderate) and 0.2% Subgrade 4 (Poor Quality) in the Agricultural Land Classification (ALC) system). The current farming regime of BMV land within the application site is consistent with farming practices within the site as a whole, being limited to land

used for livestock grazing rather than supporting a wide range of agricultural and horticultural crops. As such, the benefits of the presence of BMV land have been muted by farming practices being associated with lower quality land.

- 8.26. Given the quality of this land and its constrained nature; 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 in this regard, the loss of this should be weight in the balance of the merits of the scheme.
- 8.27. The proposed development would make a significant contribution to economic growth and job creation within the Borough and wider local area; in addition, the applicant has satisfactorily demonstrated that there are no suitable alternative employment sites to accommodate the demand within the market in the short term, the proposal although outside the settlement boundary, would comply with Policy DM4 of the SADMP, subject to consideration of the impact upon the character of the countryside and all other material planning considerations. The proposal has demonstrated through the submission of a sequential test and market appraisal that there would be no alternative suitable site to meet the short term identified need, to accord with Policy DM20 of the SADMP.

Loss and replacement of the agricultural farmstead

- 8.28. 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 unless other material considerations indicate otherwise. The proposed development would seek the development of the existing farmstead and relocate the existing farmstead further south along Stanton Lane.
- 8.29. As previously mentioned given the site's location outside of the settlement boundary of Stanton under Bardon, Policy DM4 of the SADMP is of relevance. Policy DM4 seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside from unsustainable development. The policy does not support the construction of new dwellings within the countryside unless it relates to the provision of accommodation for a rural worker in line with Policy DM5 and also meets the relevant criteria within the second part of Policy DM4. The proposed development is to accommodate rural workers and therefore Policy DM5 is applicable.
- 8.30. Policy DM5 allows for the provision of rural worker accommodation where the following special circumstances can be demonstrated; it is essential for one or more workers to be readily available at most times for the proper functioning of the rural enterprise and the worker(s) are in full time, permanent employment which directly relates to the rural enterprise; and the rural enterprise is economically sustainable and has a clear prospect or remaining so; and there are no available existing dwellings or buildings suitable for conversion to residential on the site of the enterprise or within the local area; and the proposed dwelling is of a size and scale appropriate to the proper functioning and needs of the rural enterprise. The assessment of the proposal against the criteria a-d set out in Policy DM5 of the SADMP is as follows:
- a) It is essential for one or more workers to be readily available at most times for the proper functioning of the rural enterprise and the worker(s) are in full time employment, permanent employment which directly relates to the rural enterprise;**
- 8.31. The existing farmstead has been in existence for a considerable amount of time, and supports a livestock rearing enterprise. Therefore the need of for agricultural buildings proposed derives not only from the demolition of the existing farmstead,

but also from deficiencies associated with those buildings. The general scale of the livestock and arable activity of the farm business would be unchanged. The emphasis should the farmstead be relocated is to improve the quality of the livestock reared and the scope to manage the storage and sale of surplus cereal crops.

- 8.32. Planning Practice Guidance describes essential functional need as relating to circumstances where the on-site presence of a worker is necessary to ensure the effective operation of an agricultural enterprise as a consequence of animals or agricultural processes requiring daily 24-hour attention, of there being a risk to human or animal health or from crime, or of the necessity to deal with emergencies that could cause serious loss of crops or products. Essential need is, therefore, primarily concerned with the management of risks within the operation of an enterprise, and in all cases, these would relate to circumstances which cannot be managed within normal working hours. The single greatest risk management in this application is that of animal husbandry.
- 8.33. The Farm Business Appraisal calculates the labour requirement of the farm business at 4.4 workers, of which 1.3 workers are allocated to animal husbandry tasks. However, it is considered that this calculation based on standard man data factors underestimates the labour requirement in the context of the enterprises involvement with the breeding and rearing of pedigree cattle of high genetic quality, the numbers of which are intended to increase at the relocated farmstead. It is argued that the application of the level of care attention necessary to support such high value animals and the genetic control of their breeding requires the labour of 2 workers, from a total farm labour requirement of 4.9 workers.
- 8.34. When having regard to the management of the breeding programme, it is demanding with the management of tasks beyond routine with animals presenting predictable or unforeseen demands outside normal working hours. This is particularly the case when cows are in calf and giving birth, the care of calves which require a substantial level of care during the early phase of development, and when they are being kept in housed conditioned and are entirely dependant on the intervention of the stockman. Wood Farm, calves throughout the year and indicates that some animals comprise of cereal beef which are usually managed in a housed system. Furthermore, the livestock will be housed throughout the winter period.
- 8.35. In the light of the above considerations, the numbers and circumstances of the animals within the existing farm enterprise should the farm be relocated, then the farmstead would require the ready availability of a key worker at most times. If the current position of two workers being house on the farm was not replicated it is considered that there would be inevitable detrimental effects on the effective management of operations, as well as the welfare or the livestock and the health and safety considerations.

**b) The rural enterprise is economically sustainable and has a clear prospect of remaining so;**

- 8.36. The unit is long established, and the projected financial assessment of the farm business which is based upon actual farm data and industry standard data provides what is considered to be a realistic picture should the farmstead be relocated and provide improvements to both the livestock and arable enterprises being realised, within the general uncertainties of the agricultural industry immediately post Brexit.

**c) There are no available existing dwellings or buildings suitable for conversion to residential on the site of the enterprise or within the local area;**

- 8.37. There are no existing residential properties in the immediate proximity of the proposed relocated farmstead. The nearest settlement of Stanton under Bardon

would not provide the level of supervisory oversight necessary with adverse consequences, particularly as there is a paucity of suitable and available properties in that settlement.

**d) The proposed dwelling is of a size and scale appropriate to the proper functioning and needs of the rural enterprise**

- 8.38. The proposed scale of the workers accommodation would be approximately 173.1sqm exclusive of 22.5sqm of office space. The proposed dwellings would provide 2 and 3 bedroomed properties across two storeys. The proposed dwellings are not considered unusually large in the general size range of agricultural dwellings, with dwellings of 200sqm being at the upper end of the range.
- 8.39. In addition to the replacement dwellings, the proposal also seeks to replace the agricultural buildings, and provide a farmstead suitable for the agricultural enterprise. Whilst as previously mentioned the scale of the enterprise would be unchanged, it is proposed to consolidate and improve the quality of the housed provision on site, through the provision of modern storage facilities. The proposed buildings which are made up of 5 separate buildings comprising of workshops, grain stores, cattle and bull pens have been sized and designed to industry spatial requirements, with some flexibility built into cattle pens to provide storage of machinery. Although there is an increase in built development compared to the existing farmstead, the proposed replacement farmstead appears more compact and functionally effective to that of the current provision. It is considered therefore that when having regard to the existing provision and in light of the agricultural appraisal and the needs of the business the proposed buildings are considered appropriate in terms of the scale and form from an agricultural perspective.
- 8.40. The proposed replacement farmstead, is considered to meet the criteria set out in Policy DM5 of the SADMP, and would be of a scale to serve the demonstrated needs of the existing enterprise. However the existing farmstead currently meets this need, and as such the loss of the existing farmstead for the erection of a proposed employment site, would be weighed in the consideration of the application as a whole.

**Impact upon Cliffe Hill Quarry and Safeguarding Minerals**

- 8.41. Policy DM6 of the SADMP seeks that development proposals demonstrate how they conserve and enhance features of nature and geological value, with the primary objective to conserve and enhance biodiversity or geology interests.
- 8.42. The application site is situated to the south of Cliffe Hill Quarry, which extends to the east of Stanton Under Bardon, this is afforded protection at the national level, as an identified SSSI. However the site being considered in this application, is positioned to the west of Stanton Under Bardon, and therefore not immediately bound to the site which is identified as a SSSI designation.
- 8.43. Nevertheless in terms of the site with the quarry to the north and its proximity, The National Planning Policy Framework (NPPF) states that minerals are essential to provide the infrastructure, buildings, energy and goods that the country needs (Paragraph 203). It goes on to say that, since minerals are a finite natural resource which can only be worked where they are found, it is important to make best use of them to secure their long term conservation. The need to safeguard valuable mineral resources is recognised in paragraphs 204 and 206 of the NPPF.
- 8.44. The proposed application area lies within a Igneous Rock Mineral Consultation Area. Given its proximity to Cliffe Hill Quarry, the proposal has potential to sterilise a valuable mineral resource which benefits from planning permission and is currently operational. Policy M11 of the adopted Leicestershire Minerals and Waste

Local Plan states that planning permission will be granted for development that is incompatible with safeguarding mineral within a Mineral Safeguarding Area if the applicant can demonstrate that the mineral concerned is no longer of any value or potential value; or the mineral can be extracted satisfactorily prior to the incompatible development taking place. The application has been supported by a Minerals assessment and Leicestershire County Council (Minerals) has had regard to the submitted application and raise no objections.

- 8.45. The assessment identifies that all potentially workable mineral reserves at New Cliffe Hill Quarry are exhausted and it is not commercially viable to extract this, and is underlain by brickclay which is known to have extensive reserves in Western Leicestershire. Furthermore the proposed development site is situated outside any brickclay area. New Cliffe Hill Quarry is a designated safeguard waste site and there is a 100 metre lateral distance and existing spoil bund between the proposed development, and therefore the proposed development is not considered to have a detrimental impact upon the geological interests of the neighbouring quarry, and is therefore in accordance with Policy 6 of the SADMP.

Design and impact upon the character of the area

- 8.46. Policy DM4 of the SADMP requires that development in the countryside does not have an 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 create or exacerbate ribbon development.
- 8.47. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. It should be noted that as the development is not considered to be sustainable development in the countryside in accordance with the first part of Policy DM4, any harm to the intrinsic value, beauty, open character and landscape character of the countryside would therefore be unjustified. Policy 21 of the Core Strategy supports development in the National Forest providing that the siting and scale of the proposed development is appropriately related to its setting within the forest, and respects the character and appearance of the wider countryside. Policy 22 of the Core Strategy supports proposals that maintain the traditional working landscape of the forest, provide new recreation facilities, provide access to and from the rural areas, retain the local character, enhance open spaces, enhance woodland and habitat provision and connectivity.

Landscape and visual impact

- 8.48. The application site is situated within Character Area A - 'Charnwood Forest Settled Forest Hills' as identified within the Landscape Character Assessment (2017). Key characteristics are prominent elevated landforms, diverse land uses which relate to the varied geology, small to medium scale field patterns interspersed with large areas of woodland cover, proximity to Leicester City and major transport infrastructure. The Assessment identifies and provides a general overview of key sensitivities for that Character Area and sets out a strategy for each area, which for Character Area A, is as follows:
1. Conserve and enhance the historic core of village settlements and ensure extensions are well integrated within this wooded landscape. Promote characteristic building forms.
  2. Support the vision of the National Forest Strategy by planting native and mixed species woodland, linking areas beyond the National Forest boundary.

3. Conserve the distinct and separate identity of Groby and Ratby, including the rural gap that separate the villages.
  4. Locate solar farms and wind turbines in the least sensitive areas.
  5. Conserve rocky outcrops and semi-natural vegetation in disused quarries. Promote amenity and biodiversity through quarry restoration schemes.
  6. Conserve and enhance the well wooded character of the landscape. Promote woodland management such as coppicing and ground flora diversification, as well as hedgerow tree planting.
  7. Promote a positive landscape strategy, including woodland planting, around Stanton under- Bardon to help integrate the industrial units, quarries and development pressures associated with the M1 (junction 22).
- 8.49. The topography of the sites context is undulating, with areas of mineral workings and restored land creating dramatic changes within the area, however generally it falls from the north to the south west. The submitted LVIA identifies that the application site comprise of two areas of land, the main and largest area of site is situated off Stanton Lane and immediately to the south of the B585 (West Lane) and a further site area, proposed for the relocated farmstead is located further east of the main site along the northern side of Stanton Lane.
- 8.50. The application site comprises of a number of medium sized pasture fields bounded by mixed hedgerows, with Wood Farm and associated buildings located to the south west of the site situated on Stanton Lane. There is existing mature trees and woodland along the north west edge adjacent to the B585 (West Lane), Pylons and powerlines extend across which travel east - west direction. A Public Right of Way extends along the northern edge of the site across on higher ground which travels around the edge of the quarry (R114), there is also a further footpath which would pass through the south east corner of the proposed farm site (R31). The quarry to the north is set beyond maturing woodland, however this planting is not overly mature on as this planting was done following the quarry operations commencing.
- 8.51. The submitted LVIA considers the effects of the development on the landscape, in the context of the national, regional and county scale landscape character areas, it is considered that the proposed development once operational would have contained implications and effects on the landscape character area, which would be considered minor adverse, as the development is reflective of the broad geographic extent of the character area. The LVIA identifies that at a local level the proposed development would have a direct effect upon Landscape character Area (6) Thringstone/Markfield Quarries Settlement (Charnwood Forest Landscape Character Assessment) and Charnwood Forest Settled Forest Hills (Area A) of the Hinckley and Bosworth Landscape Character Assessment, to which the site is situated within and adjacent to. Although harm has been identified at this level it would be considered localised and its impact at most has been identified as Minor/moderate adverse.
- 8.52. The proposed development would change the use and character of the application site to commercial; however the nature and appearance of the proposed development would be reflective of its immediate context to the north. The proposed development would be accompanied by a comprehensive landscape strategy, which would provide a wooded setting to the proposed development. The proposed development would also alter the current landform, with a cut and fill approach to the earthworks, with the most southern parts raised and moulded to assist in providing a visual screen, and to the north the land lowered, providing development plateaus.
- 8.53. The proposed farmstead which would be situated to the east, would comprise of two dwellings and a number of farm buildings, including new landscaping and

sustainable drainage measures. Within the vicinity there are a number of other existing dwellings and farm buildings to the south west and south east along Stanton Lane. The proposed farmstead would conserve and manage existing trees and hedgerows with the exception to a section which would be removed to facilitate the access. Given the siting and layout of the proposed farmstead, it would occupy a relatively enclosed landscape setting, and would be reflective of other farming properties within the surrounding landscape.

- 8.54. When however having regard to the magnitude of the change to this landscape arising from the completed development the LVIA identifies that the development would result in Medium/High resulting in a moderate adverse landscape effect, due to the larger proportion of the application proposing an employment development. The impact of the farmstead however when judged in isolation would be substantially smaller.
- 8.55. The LVIA includes a comprehensive visual impact assessment, which considers and determines the potential effects upon surrounding receptors. The LVIA also includes an illustrative scheme upon full completion of the earthworks using the maximum parameters of the proposed development from a number of viewpoints, upon full completion and at 15 years post completion. The viewpoints include residential properties, neighbouring settlements, rights of ways and other footpaths and other visual receptors situated at a more distant view, of over 3 kilometres.
- 8.56. The clearest views of the site from the nearest receptor would be from Strawhall Farm, which is situated to the south of proposed commercial element of the development, and would obtain views towards the north east, with clearer views obtained from the vehicular access. The most easterly part of the building units on the site would be most visible, however when considering the proposed landscape strategy, views would be limited to the most upper parts of the building, therefore the Moderate/major adverse effect upon this property would reduce over time. However from the settlement of Stanton Under Bardon which is situated to the east of the application site, there would be no views towards the proposed development from the majority of the dwellings, due to the undulating landform and planting. From the south west of the village edge the properties would have varying views of the eastern extent of the higher portions of the development of the commercial site, and of the farm site. However the views would not be extensive and confined to its immediate setting, its impact reducing over time with the maturity of the landscaping.
- 8.57. It would also be possible for distant views of the commercial proposal to be achieved from the eastern side of the settlement of Bagworth which occupies an elevated position. The farmstead would not be viewable. However the views would be intervened by farmland and woodland on the rising ground up to the quarry providing visual filtering to the development.
- 8.58. There are a series of public rights of ways which extend across the landscape around the site, with a PROW extending along the north boundary of the application site following the quarry edges (R114), and a further PROW along the south east corner of the proposed farmstead (R31). It is acknowledged within the LVIA that the proposed development would form a dominant element in the views along PROW R114 however it would not obstruct all distant and long ranging views of the landscape beyond, with a major/moderate harm identified along these receptors. Proposed mitigation along the higher slopes within the site and close to the footpath route would include planting to assist in filtering some of the closest and clearest views. To the south of the site and Stanton Lane there are 2 PROW and a permissive footpath (Refs J and K) which extend across the farmland in a south west direction and would have varying views towards the proposed development

from certain stretches, with the clearest being from PROW 33 situated on higher ground south of Stanton Lane. At the closest and clearest points would be moderate/major adverse, however this would only arise over limited stretches of the footpaths. In the wider footpath network, views would either be limited at year 15 once planting is established, of the site or none at all due to being filtered by existing woodland and landscaping. The most notable visual effects from the proposed development would arise from the PROW however these would be confined to the site and its immediate context and other wider effects and influences. The effect of the relocation of the farmstead would be limited and localised.

- 8.59. The LVIA concludes that there will be some adverse landscape and visual effects; however these are localised and limited in their immediate context and limited receptors. It is acknowledged that upon completion the harm would be at its worst, however following the maturing of the landscaping planted and other mitigation measures in place it is considered that the overall harm to the landscape character of the local area having regard to the LVIA is considered to be minor to moderate. This is due to the proposed mitigation, which includes the conservation of the existing woodland/tree planting, translocation of selected existing trees and hedgerows within the site, land formation and moulding along the eastern site boundary and its proposed PROW through the site and a comprehensive long term management of landscaping.

#### Siting Design and Layout

- 8.60. The outline element of the proposal is for the erection of up to 114,200sqm of B2 (General Industry) and B8 use (Storage and Distribution). An indicative masterplan and layout has been provided demonstrating the site can accommodate the proposal. The proposal has been informed by the sites changes in levels having regard to the findings contained within the LVIA. The parameters provide a maximum ridge height of buildings of 21 metres, which would allow buildings to achieve an 18 metre clear internal height, providing functionality and flexibility, with the exception of area 3 which would have a maximum height of 18 metres. Given the levels across the site vary there would be a considerable amount of earth works required to achieve levelled surfaces, and therefore any reserved matters should include finished floor levels. The indicative appearance of the proposed units reflect the wider locality in terms of the design and scale, and would be seen in the context of the wider employment site to the north.
- 8.61. The proposed units would be set in within the site, and the parameters plan and indicative layout demonstrates that the existing woodland and trees to the perimeter of the site would be retained to the south west corner of the site. The application has been supported by a landscape strategy, and seeks to provide strong buffers along the boundary, of depths of up to 60 metres in areas along Stanton Lane. The landscape scheme also includes National Forest planting strategy, to accord with Core Strategy Policies 21 and 22. The strategy also identifies how pedestrian links would be provided and landscaped through the development, with the translocation of trees where possible, to create a more established landscaping scheme.
- 8.62. The proposed replacement farmstead which forms the full element of the application, would provide two farm manager dwellings, with the associated agricultural buildings, to support the established farmstead, and would be situated to the west of the existing power substation. The application site comprises of two parcels of agricultural land, which is divided. The south half of the site would comprise of two farm managers dwellings, which would be located either side of a proposed access road, along with a workshop. The access road extends north into the site which serves the farmyard, which comprises of 4 agricultural buildings with

an open storage area for cattle. The agricultural buildings respond to the demonstrated needs of the enterprise and are functional in appearance; the steel portal framed buildings include concrete planks at base level with Yorkshire Boarding or box profile cladding to the wall and natural roof sheeting. The buildings would have a maximum height of 6.11 metres. Notwithstanding the fact that the proposal would introduce built form within the countryside, the agricultural buildings proposed would be of a flexible, general purpose character typical of those seen on many farms. The buildings are considered to be functional and appropriate in design, and are arranged in a courtyard formation. As such, the proposed farm buildings would not be out of keeping with the rural character of the area.

- 8.63. The proposed dwellings would be two storey in scale and would provide 195.6 square metres each of residential floor space and agricultural related floor space. The proposed dwellings are of individual design, and are of brick and tile, with grey aluminium windows and render. The proposed dwellings include design features such as chimneys, the use of projecting gables have also been used to provide relief within the elevations. The proposal also includes additional landscaping and planting to the south east corner and balancing pond, with the existing right of way diverted along the eastern boundary and incorporated into the landscape strategy of the site.
- 8.64. The proposal would extend development beyond any defined settlement boundary and it is considered that the proposal would result in some harm to the character and appearance of the area and would therefore have a degree of conflict with Policy DM4 of the SADMP. However whilst there would be conflict of Policy DM4 of the SADMP overall it is deemed that subject to the imposition of conditions, and satisfactory layout and appearance the outline scheme would incorporate a high standard of landscaping which adds to the quality of design.
- 8.65. The proposed full application is considered to complement the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features; it incorporates a high standard of landscaping. It helps support the National Forest Strategy and respects the character and appearance of the wider countryside. In accordance with Core Strategy Policies 21 and 22, Policy DM4, DM5 and DM10 of the SADMP DPD and the overarching principles of the NPPF.
- National Forest
- 8.66. Policy 21 of the Core Strategy in order to supports the implementation of the National Forest to the north east of the Borough, requires that proposals contribute to the delivery of the National Forest Strategy.
- 8.67. The National Forest Strategy requires the development to provide woodland planting in accordance with their Guide for Developers and Planners. The guide expects a development of this scale to incorporate 30% of the site area as woodland planting, which would equate to 10.49ha.
- 8.68. The proposed development would provide green infrastructure as part of the landscaping proposal and the requirements would be met as follows:-
- Existing woodland to be retained – 0.72ha;  
National Forest planting on-site – 9.48ha;  
National Forest planting off-site (12m width) – 0.29ha;  
Total area – 10.49Ha.
- 8.69. The proposal would include an additional 12 planting belts situated approximately 275metre to the east of the application to provide additional habitat and screening,

which would be secured by a legal agreement to secure its delivery and management as it is situated outside the application site.

- 8.70. In terms of the proposed planting within the outline application site, the NFC notes that the area of woodland proposed between the buildings and Stanton Lane would be partially located on an embankment and appropriate planting for these circumstances would need to be conditioned. The provision of a mixture of broadleaved woodland, wet woodland and grassland would be considered acceptable. Further planting details including size and species proposed should be provided at reserved matters stage. The NFC would want to see appropriate design references to the national forest location such as in relation to the proposed materials for the buildings and any ancillary development within the curtilages of the proposed buildings. The incorporation of appropriate energy conservation and sustainability measures should also form part of any reserved matters submission.
- 8.71. In terms of the proposed changes to public access, the NFC notes the proposal to provide additional linkages between Grange Walk (NFC promoted footpath) and existing public footpaths in the area. The principle of diverting the section of Grange Walk which runs along part of Stanton Lane into the woodland planting of the proposed development site would be acceptable as would the provision of additional linkages between the public footpaths to the south Q99 and R114 running along the northern boundary of the site. Therefore the proposed development is considered to adequately mitigate the impact upon the National Forest subject to the imposition of conditions and a legal agreement to secure off site planting and management.

#### Impact upon neighbouring residential amenity

- 8.72. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.73. Impacts upon residential amenity from the proposed commercial use in the outline element of the proposal have also been considered in the pollution section of this report. It should be noted that objections received in respect to the loss of a view is not a material consideration.
- 8.74. Residential properties along Stanton Lane, to the south of the application site, are limited and sporadic and are set back from highway. Strawhall Farm is situated to the south of the commercial proposal. Although Environmental Health have considered impact upon residential properties and found there to be suitable mitigation from pollution; the submitted LVIA highlights that the visual impact from this property is likely to be moderate/major. This is due to the outlook from the property would be altered permanently. However, consideration is given to the proposed landscaping treatment along this section and the separation distance to the proposed buildings. Therefore although the landscape character view from this property would be adversely altered this would not have an overall adverse impact upon the residential amenity of this property as result of the proposed mitigation.
- 8.75. To the south of the proposed farmstead there are further residential properties, White House Farm, is positioned to the south east of the proposed farmstead. White House Farm is set away from the boundary. The proposed farm dwellings would be detached and would achieve adequate window to window distances as set out within the Hinckley and Bosworth Design Guide, ensuring there is sufficient private amenity for both existing and proposed dwellings. The farmstead would be situated to the north of the proposed dwellings, away from the existing dwelling.

Having regard to the scale of the proposed farm buildings combined with the separation distance to White House Farm, there would be no adverse impact in term of the loss of light nor overshadowing from this development upon this property. As the proposed development would include a proposed new use of the farmstead it is necessary that a condition is imposed to ensure that prior to the development commencing a scheme is to be submitted and agreed for protecting nearby dwellings from odours resultant from the farm.

- 8.76. Therefore the proposal is considered to be in accordance with Policy DM10 as the amenity of neighbouring occupiers of the proposed development would not be adversely affected to warrant refusal of the application.

Impact upon highway safety

- 8.77. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Policy 109 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.78. The proposed development would be accessed via a proposed new roundabout on the B858 (West Lane), with a secondary car park access provided on Stanton Lane, to serve the up to 144,200 sqm of B2/B8 employment use. The proposed secondary access from Stanton Lane, has been provided due to an end user requirement to provide a separate car park access, which allows for greater efficiency in on site operations.
- 8.79. The most notable alternative route to the site from the A511 is via Stanton Under Bardon, via Sutton Lane, Main Street and Stanton Lane, which are all unclassified roads. Stanton Lane is a rural road and beyond the proposed farm access there are a number of narrow bends in the road. On street parking is present at a number of locations along Main Street through Stanton under Bardon. The proposed development would include widening of Stanton Lane up to the secondary access and specifically the location of the secondary access, which is located as close as possible to the classified and strategic road networks. As such the Highways Authority consider the secondary access proposed to be acceptable and that it is unlikely a significant number of drivers would need to U turn at the proposed roundabout to travel along Stanton lane.
- 8.80. The internal layout is yet to be determined due to the outline nature of the application, however the secondary access is not considered appropriate for HGV use with the primary access is considered to be more appropriate for HGV use and given the existing weight restrictions on Stanton Lane, which would require a Traffic Regulation Order to relocate, this would also restrict HGVs to the B585. Therefore the Highway Authority would resist any future reserved matters application requiring the HGV use of the proposed secondary access.
- 8.81. The proposed farmstead would comprise of two farmhouses and a number of associated agricultural buildings. Vehicle tracking of a tractor has been submitted as well as speed surveys. The tracking demonstrated that a tractor would take up a section of the carriageway, however given the existing farmstead is being relocated from further along the road, the majority of trips would already be using the road, in addition Stanton Lane is a rural road and it is considered that the presence of farming vehicles would not be unexpected along such a route.

- 8.82. As part of the application, junction capacity assessments of 11 surrounding junctions have been provided for consideration along with traffic flow diagrams which include committed developments. Ration of Flow Capacity (RFC) is a term used in Transport Modelling to assess the operation of a junction. The results provides an indication of the likely junction performance, with a value of 1 implying that the demand flow is equal to the capacity. Typically a value of 0.85 is seen as the practical capacity, with results higher than this more likely to experience queuing or delay. The Local Highways Authority is satisfied that the following junctions will operate within capacity in 2025 with the proposed development in operation:-
- Beveridge Lane/Walker Road/West Lane roundabout  
Station Road/ Ellistown Terrace Road/ Victoria Road T-Junction  
B585 West lane/B585 Victoria Road/Stanton Lane/Bardon 2 site access roundabout  
B585 West Lane/ proposed primary site access roundabout
- 8.83. The following junctions Would operate over capacity in 2025 without the development in place :
- A511 Bardon Road/ Beveridge lane roundabout  
A511 Shaw Lane/Copt Oak Road/ Stanton Lane (Flying horse roundabout)  
A511 Bardon Road/Regs Way/ Grange Road (Birch Tree Roundabout)  
A511 Stephenson Way/Bardon Road roundabout
- 8.84. These junctions forms part of wider strategy of improvements through the Coalville Transport Strategy. The proposed development would have a direct upon these junctions when in operation and therefore a contribution towards the Coalville Transportation Strategy would be considered reasonable and necessary to mitigate the proposed development.
- 8.85. The Beveridge Lane/Whitehall Road/lbstock Road/Midland Road double mini roundabout is already operating at over capacity. In 2025 the comparison between the with and without development scenario shows that the proposed development does marginally reduce the capacity further in the PM peak in particular. Nevertheless the Highways Authority anticipates that the improvements delivered as part of the Coalville Transport Strategy would draw some traffic back on to the A511 due to the reduction in queuing and delays on the strategic road network. Given the limited impact of the proposals on the junction and the request towards a contribution to the Coalville Transport Strategy, it is not considered that the development would lead to a severe impact on the junction and it is accepted that no further works are required as a result of this development.
- 8.86. The B585 West Lane/B585 Victoria Road/Stanton lane/ Bardon 2 site access, taken in the worst case scenario, where all Stanton Lane westbound traffic approaching the roundabout to both left and right, as well as all east bound traffic approaching Stanton lane turning both left from West lane and right from Victoria Road. Traffic from the Bardon 2 development has also been allocated to the roundabout, along with the forecast traffic to use the Stanton Lane secondary access to the proposed development. The methodology is considered acceptable and robust and demonstrates that this junction at 2025 would operate with spare capacity in place.
- 8.87. During the course of the application, further consideration has been provided to the level of traffic likely to use the secondary access. Unit 1 as illustrated in the indicative layout contributes to approximately 45% of the overall gross floor area for the site. On this basis, it is calculated unit 1 would generate approximately 65 arrivals and 43 departures in the Am peak and vice versa in the PM peak, all of which would be light goods vehicles. While a capacity assessment has not been carried out for the junction given the nature of the access which encourages drivers

to turn right out and left in, along with the accepted trip distribution, it is not considered that a significant number of drivers would attempt or need to turn left out, or right in to the site. Therefore on this basis, the right out and left in traffic manoeuvres from the access are unlikely to result in delays along Stanton Lane.

- 8.88. In terms of the wider network, and its impact upon the M1 junction Highways England have reviewed the survey data of the junction capacity assessment and the assessment scenarios. The capacity assessment of the M1 junction indicates that while the junction would operate overcapacity, this affected a single arm (M1 southbound off-slip) and all arms on the County network (A511, A50 & Cliffe Lane) would all operate within capacity. The Coalville Transport Strategy includes a sum for mitigation works at M1 J22 and subsequently, LEP Growth Fund monies were provided to deliver improvement works at M1 J22 in 2017.
- 8.89. LCC and Highways England as the Local Highway Authority have no objection to the development, however they have suggested that development proposals could be acceptable in highway safety concerns subject to the imposition of a number of conditions and off site obligations prior the commencement of the development. Subject to these, the proposal is considered acceptable and in accordance with Policies DM17 and DM18 of the SADMP.

#### Impact upon Public Rights of Way

- 8.90. An existing right of way R114 runs along the north edge of the application site, where the site borders the Quarry, and would run through the proposed development. The development seeks to provide new paths to the east and south boundaries to link with a wider footpath network, with footpath Q99 which extends south, and diversions proposed to footpath R9 and R33 (to the west and south of the application site).
- 8.91. In order to improve the surrounding networks, Leicester Highways Authority have requested 650mm x 2m crushed stone surfacing to footpath N47 between West Lane and Bardon Business Park as well as 90m x 3m length to footpath R31 at Stanton Lane as well as installation of a five kissing gates along the routes of N47, R9 and R33. Accordingly following consultation with Leicestershire County Council (Public Rights of Way) they have no objection to the proposed development and its impact upon the surrounding network, however the construction and surface specification would be subject to a separate consent from Leicestershire County Council.

#### Impact upon Trees

- 8.92. The application has been accompanied by an Arboricultural report considering the impact that the development proposal may have upon the surrounding trees and providing any mitigating measures.
- 8.93. The application although in part is outline form, does provide full details of the proposed access points to serve the commercial element and full details of the farmstead. The larger portion of the development would provide two access points, one on West Lane for HGVs and a second along Staton Lane, which would serve unit 1 staff only. The proposed access points have been located to minimise tree loss and to retain the larger portion of higher quality trees. There is a tree preservation order (Ref: 83/00007/TPO) which is situated along the west boundary of the application site. The proposed development would not result in any loss to these trees covered by the order, and would be retained. Within the site it is predominately young trees and hedges that currently separate fields and are to be removed. Along the southern roadside boundary to the application site larger and

more prominent trees are to be retained to sustain the presence of maturing trees within the street scene.

- 8.94. Within the new proposed farmstead, although the quality of trees and hedgerow are low in quality there are no trees to be removed, and two sections of hedge are to be removed. The development would provide opportunities for the inclusion of a well designed landscaping scheme on site, therefore more than compensating for the loss. The proposed landscaping mitigation measures also provide woodland planting in accordance the National Forest Guide which would have greater longevity within the landscape. The landscaping scheme would also provide opportunities species diversity for the site. It is therefore considered that the loss of trees would not provide a reason not to support the proposal given the on site mitigation that could be provided and the significant social benefits of this development. Given the loss of trees any subsequent application should seek to mitigate the loss through the incorporation of a high quality and sympathetically designed landscaping proposal. It is therefore considered that the loss of trees would not provide a reason not to support the proposal given the on site mitigation that could be provided and the social and economic benefits of this development.
- 8.95. Therefore it is considered that subject to the submission adequate mitigation for the loss of the trees and management of the existing tree stock, it is considered that the application would accord with Policy DM6 of the SADMP.

#### Ecology

- 8.96. Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused. Paragraph 170 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal. The application has been supported and accompanied with a protected species and ecology surveys for consideration.
- 8.97. The main habitats on site are improved pasture grasslands of low ecology value. None of the hedges affected by the development are 'important' and species-rich, as defined in the Hedgerow Regulations, and therefore their loss to the development could be adequately compensated for by replacement planting as part of any development. It is noted that there is some near veteran oaks along the perimeter of the application site to the north and west, however they are to be retained, with the exception of one good Oak T149, however its retention would not be possible, nor would direct compensation, however the proposed development would propose planting of woodland and scrub which would go some way in providing some compensatory habitat.
- 8.98. During the course of the application additional information concerning the habitat survey and consideration has been provided following consultation with Leicestershire County Council (Ecology). The proposed farmstead would be situated approximately 20 metres to a great crested newt population in the lagoons directly adjacent to the application site, and therefore consideration to mitigation and long term disturbance and loss of habitat quality is for consideration as part of this proposal. The proposed drainage strategy for the farm site, identifies that drainage from the farm site would be directed away from the adjacent ponds. The ponds to the north and west of the application have been found to support GCN and are therefore the most sensitive, however they are positioned uphill from the application site and as such it is considered unlikely that run off from the site would impact upon the water quality of these ponds. As part of the mitigation proposals accompanying the application it is proposed that the grasslands surrounding the

pond would be enhanced, as well as the creation of a buffer of suitable habitat along the northern edge of the site to provide mitigation.

- 8.99. The existing farmstead and its buildings provide for bat roosts, swallows and house sparrow nest sites, as well as a Local Wildlife site pond and toad colony. The existing farm buildings have several bat roosts, one of which, Brown Long-eared bat is of significance, as 13 bats were recorded emerging from the roof. Brown Long-eared bats require larger space in which to roost, and cannot be compensated through the use of usual bat boxes. The proposed employment buildings do not provide any suitable opportunities for roost creation, however it is proposed that a purpose built bat house within the site located away from lighting and connected to bat foraging habitats is considered acceptable, subject to detail and siting. The loss of roosts would also require full EPS licensing from Natural England.
- 8.100. The buildings also host a swallows, five nest cups have been recorded. Swallows are identified as a local Biodiversity Action Plan priority species. Given this compensation nest site large enough to accommodate the colony would be considered necessary in compensating for this.
- 8.101. The location of the proposed bat house, is subject to further consideration as part of the detailed design of any subsequent reserved matters application, however indicatively the proposed bat house and its siting is likely to be positioned to the south east corner within the woodland. The area would provide a dark spot, with the proposed woodland and waterbody providing good foraging habitat, with commuting routes along the existing hedgerows. It would also be positioned in close proximity to the waterbodies proving good foraging habitat. It is proposed that the purpose designed bat house would also provide alternative nesting spaces for swallows and house sparrows. As well as compensation for the house sparrow being provided within the new farm buildings. It is also proposed to create additional waterbodies that are not linked to the attenuation features that allow for a more constant water levels on site to be provided, which would provide additional habitat on site.
- 8.102. Pond 3 which is situated to the north east of the existing farmstead and is identified as a Local Wildlife Site. It is cited for its population of a pondweed, Potamgeton species, which indicates good aquatic habitats and water quality, however the survey recorded no Potamgeton pond weed species which had been heavily poached by cattle. As part of the GCN survey a medium sized population of toads was discovered. Toads are a declining species. As part of the GCN report, trapping of the onsite ponds prior to their removal has been identified to protect common amphibians recorded, which would allow for any toad which are found to be relocated, to a water body which would be designed to maximise value for toads and other amphibia.
- 8.103. The development would not adversely impact on protected species and subject to conditions would be in accordance with Policy DM6 of the SADMP DPD and the principles of the NPPF.

#### Impact upon Archaeology

- 8.104. Policy DM13 states that 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.
- 8.105. The Leicestershire and Rutland Historic Environment Record (HER) identifies that the application site lies within an area of archaeological interest. The submitted archaeological desk based assessment statement notes the absence of archaeological sites on the Leicestershire HER dating from the prehistoric, Roman, Anglo-Saxon or Medieval periods recorded within the application area, but this is

due to the lack of previous archaeological investigations in the area. There are a number of recorded sites in the vicinity of the application area, including scatters of prehistoric flint scatters from north of White House Farm and Temple Farm (MLE 6356, MLE7059 and MLE7563), a Neolithic hand axe recorded from Cliffe Hull Battle Flat (MLE7241) and an Iron Age beehive quern found to the west of Manor Farm (MLE9144). There are a number of Roman roads crossing through the local landscape of the site, including the lime of the Via Devana (MLE2687) and the route of Beveridge Lane (MLE16545) which is thought to have linked the Via Devana with settlement at Coalville. Roman pottery has been found at White House Farm and Manor Farm and this is considered to be good evidence for associated occupation in the vicinity.

- 8.106. During the course of the application the applicant commissioned a geophysical survey of the western part of the application site. Prehistoric remains do not provide strongly magnetic responses however and prehistoric sites are rarely detected through geophysical survey alone, and the results should therefore be confirmed by a follow up. Whilst not being particularly conclusive, the survey has indicated the presence of a number of sub-surface anomalies which have been classified as being of uncertain, but possible archaeological origin, which would require further investigation. The most significant being located in field 3 towards the eastern area, where there is a scatter of pit like anomalies across the site, which would require further evaluation.
- 8.107. A large component of the western part of the application area has been considerably built up with made ground, to the depths of between 1 – 4 metres across the majority of the site, the made up ground consists of arisings derived from the Quarry situated to the north. The fields to the south of the site are undisturbed and to the east. Given the likely reduction of the potential archaeological impacts of the scheme, brought about by the extent and depth of the modern overburden that is present across the site, it is considered that the archaeological implications of the scheme could be managed by way of condition.
- 8.108. The traditional farm buildings is, or has the potential to constitute a non designated heritage asset (or assets) with an archaeological and heritage interest (National Planning Policy Framework (NPPF) Section 16, paragraph 189 and Annex 2). The proposal would involve the demolition of existing building on site for the redevelopment of the land for industrial uses. Historic mapping indicates that there have been buildings on the site of Wood Farm at least as far back as the Enclosures Act 1779, and the extent to which early buildings may still exist as part of the present farm complex is unknown. The application has been supported with a Historic Building Assessment, and confirms that the farmstead dates back to the mid-18<sup>th</sup> century, and that there is a complex of traditional farm buildings arranged around a central courtyard dating back to 18<sup>th</sup> and 19<sup>th</sup> centuries. It is understood that the farmhouse was demolished in the late 20<sup>th</sup> century and replaced with modern, brick-built bungalow of little intrinsic interest. The demolition of the farmhouse is considered detrimental to the integrity of the farmstead as a whole, the remainder of the courtyard plan and the early farmyard buildings have however survive in relatively intact complex. The traditional farm buildings such as these on Wood Farm are a diminishing resource within rural landscapes and retain value as an undesignated heritage asset.
- 8.109. Policy DM12 of the SADMP requires development proposals to make every effort to retain the significance of locally listed heritage assets and paragraph 197 of the NPPF states that in weighing applications that directly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The retention of what

would be redundant farm buildings within the development site is not considered practical or achievable given the scale and siting of the new units and associated servicing including car parks. Although the proposal would lead to the total loss of the farm buildings the significant level of public benefits provided by the proposal is considered to outweigh the harm caused by their total loss. Partial mitigation for their loss could be provided through a programme of historic building recording.

- 8.110. As such a condition is considered reasonable and necessary to require the applicant to complete an appropriate level of building recording prior to their loss, to record and advance the understanding of their significance in a manner proportionate to their importance in accordance with paragraph 199 of the NPPF. This will require provision by the applicant for a level of building recording, to equate with a Level 3 'Analytical Survey', as specified in Historic England's Understanding Historic Buildings. A Guide to Good Recording Practice, HE 2016). The record will comprise an introductory description followed by a systematic account of the building's origins, development and use. It will include an account of the evidence on which the analysis has been based, allowing the validity of the record to be re-examined in detail. It will also include all drawn and photographic records that may be required to illustrate the building's appearance and structure and to support an historical analysis. Consideration should be given to appropriate survey equipment to address the particular requirements of the structure or structures to be surveyed (e.g. conventional survey, photogrammetry, laser scanning, etc).
- 8.111. As such subject to the inclusion of conditions as discussed above, the development would not result in a detrimental impact upon the understanding of the significance of any heritage asset, and would therefore be in accordance with Policies DM11 and DM12 of the SADMP.

#### Drainage

- 8.112. Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding.
- 8.113. The application site is located to the south east of the B585 West Lane. The site is bound to the north by woodland and Stanton Lane to the south. A Power Transmission and Distribution site is located to the south east of the application site. The site is located within Flood Zone 1, being at low risk of fluvial flooding and therefore passes the Sequential Test and does not require the Exception Test to be undertaken.
- 8.114. The Environment Agency (Surface Water) flood maps also shows that the site is very low risk of flooding. There have been no records of historic flooding on the site, the Lead Local Flood Authority does have records of an incident in close proximity to the site. This incident consisted of the flooding of a public right of way (R18) due to a blockage to the drainage system/watercourse within Horse pool Grange industrial estate.
- 8.115. The topographical survey identifies that the site slopes from north to south and west, with levels between 193.032 AOD and 160.36m AOD. There is an unnamed ordinary watercourse location to the south of the application site which flows in a southerly direction, with an outfall into the Rothley Brook. The existing site and much of the surrounding area to the south and south east of the site drains into the Rothley Brook. Having regard to the topographical survey and the risk from surface water flooding plans, the areas at risk are those which coincide with existing land drainage features across the site, which are low lying.
- 8.116. The application has been accompanied by a proposed drainage strategy that includes the use of SUDs which restrict the discharge to the equivalent current

greenfield run off rate, with 40% allowance for climate change. Discharge rate from the site would not exceed 12.8l/s for the equivalent 1 in 100 (+climate change) event. The low lying areas of the site which are shown to be low risk of flooding are proposed to be managed within the drainage design and recontouring of the site which would mitigate the chance of flooding on site and downstream. The submitted strategy demonstrates that the site would be feasible to be drained adequately without risk to surrounding area nor would it exacerbate flooding from the development.

- 8.117. The proposed foul water drainage would be discharged to the STW public foul sewer via existing connection to the rising main installed at the Battleflat development, which is situated on the opposite side of West Lane.
- 8.118. The LLFA raise no objection to the proposal subject to conditions requiring the submission of a surface water drainage strategy which will require full construction detail. The Environment Agency have no objection to the proposed development, as there is no fluvial flood risk concerns, nor environmental constraints.
- 8.119. The Lead Local Flood Authority and HBBC Drainage have no objection to the proposals put forward for dealing with surface water drainage, subject to conditions. Therefore the proposed development is considered to accord with Policy DM7 of the SADMP and would not create or exacerbate flooding and is located in a suitable location with regard to flood risk.

#### Noise and Pollution

- 8.120. Policy DM7 of the SADMP seeks to ensure that adverse impacts from pollution are prevented, this include impacts from noise, land contamination and light. Policy DM10 of the SADMP seeks to ensure that the amenity of the occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site
- 8.121. The application has been accompanied with a Soils and Agricultural Quality Study, Phase 1 Ground conditions report and Noise Impact Assessment.
- 8.122. Due to the nature of the application site, and the presence of overhead cables which run across the main site, a portion of the site has not been assessed in terms of land contamination and would therefore require further investigation. The submitted assessment details that further monitoring would be required into ground gas. Given the residential element of the proposed farmstead and associated curtilage with the proposed dwelling the proposed new farmstead would also require further investigation. Therefore Environmental Health (Pollution) have no objection in terms of land contamination subject to the imposition of condition relation to further investigation to ensure the safe development of the site.
- 8.123. In terms of noise, the full and detailed impact of the proposed development would not be comprehensively known until the reserved matters stage, given the outline nature of the proposed development. The application has been accompanied by a Noise Impact Assessment, which identifies that a potential adverse affect is likely at sensitive locations from operational noise; however it goes on to state that it would be deemed unlikely to result in intrusive at such location.
- 8.124. Consideration has been had in respect of further reducing noise through the formation of bunding being maximised for service yards of units 2 and 3, and ensuring service yards are facing away from the direction of residential properties. As the application is outline, the detailed layout is subject to further approval, the indicative layout which accompanies this application demonstrates that three units can be catered for on site, when having regard to the constraints of the site. In

terms of the bunding, although the scheme does include some mitigation bunding and is a matter which has been assessed by the Noise Impact Assessment. The assessment identifies that an additional screen to the south east of unit 3 had been investigated, and the results were found that it would only reduce the noise levels by less than 0.1db at the closest property receptors. Therefore the additional screening was concluded to not have enough effect in addition to the levels at R4 and R5 (Stanton Lane and Proposed Replacement Farmstead) which were around 32-35db and low already.

- 8.125. Therefore subject to conditions and detailed design at the reserved matters stage the proposed development would accord with Policy DM7 of the Site Allocations and Development Management DPD.

#### Planning Obligations

- 8.126. Policy DM3 of the adopted SADMP requires development to contribute toward the provision and maintenance of necessary infrastructure to mitigate the impact of additional development on community services and facilities.
- 8.127. The request for any planning obligations (infrastructure contributions) must be considered against the requirements contained with the Community Infrastructure Levy Regulations 2010 (CIL). The CIL Regulations require that where developer contributions are required they need to be necessary to make the whole development acceptable in planning terms, directly related and fairly and reasonably related in scale and kind to the development proposed.

#### Highways and Transport

- 8.128. LCC (Highways) request a number of contributions to satisfactorily mitigate the impact of the proposed development on the local highway network and to promote and encourage sustainable travel.
- 8.129. LCC (Highways) have requested a number of contributions to satisfactorily mitigate the impact of the proposed development on the local highway network and to promote and encourage sustainable travel these include; Travel Packs; to inform new employees from first occupation what sustainable travel choices are in the surrounding area. These can be provided through Leicestershire County Council at a cost of £52.85 per pack. The applicant has been supported by an updated Framework Travel Plan, which details that the applicant would propose to provide employees with a six month bus pass as opposed to a three month bus passes. It also proposed that a STARS for (Sustainable Travel Accreditation and Recognition Scheme) monitoring fee of £11,337.50 would also be sought and provided.
- 8.130. Consideration has been given to the provision of a bus service, in regards to the rerouting of a bus service past the application site, however the applicant would be required to contribute towards Coalville Transport Strategy, which would include for funding of new bus services. A financial contribution towards the Coalville Transportation Strategy would mitigate the wider impacts of the development upon and along the A511 corridor, specifically junctions at:
- A511 Bardon Road/Beveridge Lane roundabout
  - A511 Shaw Lane/Copt Oak Road/ Stanton Lane roundabout
  - A511 Bardon Road/ Regs Way/Grange Road
  - A511 Stephenson Way/Bardon Road roundabout
- 8.131. The financial contribution towards the Coalville Transportation Strategy would be calculated having regard to the quantum of the development, and the final sum will be reported by way of late item. However the application would have direct impact

upon the A511 and therefore a contribution towards the transport strategy would mitigate the impact of the proposed development.

#### Planning Balance

- 8.132. The application site is situated outside any defined settlement boundary and therefore in the countryside. The proposed development has demonstrated that it would significantly contribute to the economic growth and job creation, however this would result in some harm to the countryside and therefore in conflict with Policy DM4 of the SADMP, and therefore weighs against the development.
- 8.133. The proposed development, due to its commercial floor space (approx.144,200m<sup>2</sup>) would bring economic benefits, with the equivalent of 1500 FTE jobs forecasted across the application site, which is considered significant. On site employment would also support a range of job roles across a number of occupations, with 8% of roles likely to be managers and directors, and a further 14% in professional, associate and technical occupations. In addition to 12% HGV drivers and 11% drivers. Additional roles on site would also include 11% machine operatives, 17% elementary occupation and 15% distribution clerks and assistants and other occupations taking the remainder. Furthermore based on an assumed two year construction period it is estimated that the application would support approximately 575 construction jobs. The proposed development would have an estimated construction expenditure of approximately £80 million, a continued wage bill of approximately £47 million when completed and operational, with a higher than average yearly salary. When using the average rateable values for distribution uses within the Borough it is also estimated that the development would generate around £1.7 million annual business rate revenue.
- 8.134. The economic benefits of the proposed development could by virtue of the jobs created, also encourage new residents and employees to the Borough who would in turn support the local services and facilities which would also benefit the existing local economy. The proposed development is also located in close proximity to a strategic road network (A511 and the M1 Corridor) which offers accessibility to the regional and national supply chain and consumer markets.
- 8.135. The latest available census (2011) shows around 54% of all residents working in transport and storage nationally travelled up to 10km for work, and it is therefore considered that the proposed development is likely to be staffed by residents in the immediate locality. There is also identified existing businesses in the locality which require new premises to allow expansion, and are a known local employer. Paragraph 80 of the NPPF states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Further to this, paragraph 80 of the NPPF states that 'significant weight' should be given to the need to support economic growth and productivity, which should allow each area to build on its strengths and counter any weaknesses.
- 8.136. The proposed development, although is situated within the countryside, is not situated within the designated landscape and as such the harm identified is limited to a local level of harm, and the proposed development has been designed to respond to minimise these effects. It has been concluded that there would be minor moderate harm to the character of the area caused by the landscape and visual impact built development in this location. The proposal would include the demolition of the existing farmstead and its relocation; however the impact of this in terms of landscape harm would be limited to localised harm.
- 8.137. The proposed development also offers some environmental benefits such as additional planting through landscaping, National Forest Planting, proposed footpath network improvements, and biodiversity benefits. This includes

reinforcement and new planting of hedgerow and trees around the site and the provision of SUDs which can be designed to include benefits to biodiversity. 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. The proposed development would also bring forward solar PVs to be included within its design and charging points, responding to the current climate change in moving towards more sustainable types of harvested energy.

- 8.138. The proposed buildings although large in scale would take time to assimilate into the landscape from certain viewpoints, and would remain permanent features from others. However the proposed development would where possible use the typology of the site, combined with the design and layout of the proposed units with a robust and carefully design landscape strategy to mitigate and aid its assimilation. The most notable impact would confined to its immediate context, however this would be seen against the backdrop of the wider commercial uses, and softened with the retention of existing boundary treatment and its reinforcement. The proposed farmstead, would be situated further east, and physically separated from the employment development, and are buildings you would expect in the countryside.
- 8.139. The existing farm buildings on site have the potential to constitute a non designated heritage asset (or assets) with an archaeological and heritage interest (National Planning Policy Framework (NPPF) Section 16, paragraph 189 and Annex 2). Policy DM12 of the SADMP requires development proposals to make every effort to retain the significance of locally listed heritage assets and paragraph 197 of the NPPF states that in weighing applications that directly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The retention of what would be redundant farm buildings within the development site is not considered practical or achievable given the scale and siting of the new units and associated servicing, including car parks. Although the proposal would lead to the total loss of the farm buildings the significant level of public benefits provided by the proposal is considered to outweigh the harm caused by their total loss. Partial mitigation for their loss could be provided through a programme of historic building recording.
- 8.140. Therefore when the harm of the proposed development and relocation of the existing farmstead is weighed against the significant economic benefits of the development, these benefits would outweigh this acknowledged harm to the countryside. As such whilst there is a degree of conflict with criterion i of Policy DM4 of the SADMP, other material considerations, including the economic benefits of the proposed development, as well as the landscaping mitigation, the biodiversity mitigation, National Forest Planting and improved footpath networks and the absence of harm when considered against other policies of the development plan, outweigh the harm to the open countryside and the loss of the existing farm buildings.

## **9. Equality implications**

- 9.1. 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.
- 9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

## **10. Conclusion**

- 10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 10.2. The proposed development would provide significant economic benefits in the form of the development of an employment site, where there is an identified short term need to meet the market, and due to the scale and size of the proposed development the applicant has demonstrated there are no other suitable alternative sites. The application has demonstrated that it meets the requirements as set out by Policy DM20.
- 10.3. The development would result in harm to the character of this rural location and the loss of the existing farmstead which is a potential non designated heritage asset; however this is weighed against the significant economic benefits of the development. The economic benefits are considered to outweigh this acknowledged harm to the countryside. As such whilst there is a degree of conflict with criterion i of Policy DM4 of the SADMP, other material consideration, including the economic benefits of the proposed development, as well as the landscaping mitigation, the biodiversity mitigation, National Forest Planting and improved footpath networks and the absence of harm when considered against other policies of the development plan, outweigh the harm to the open countryside.
- 10.4. In relation to other matters subject to adequate mitigation against the adverse impacts upon the National and Charnwood Forest, the open countryside and noise pollution and the application of necessary conditions and obligations relating to Highways, Drainage, Ecology, Pollution and design all other material considerations have been found to be satisfactory and do not weigh against the development proposal.
- 10.5. Therefore, the proposal is in accordance with Policies 21 and 22 of the Core Strategy (2009), Policies DM1, DM3, DM6, DM7, DM9, DM10, DM13, DM17, DM18 and DM20 of the Site Allocations and Development Management Policies DPD as well as the overarching principles of the NPPF.
- 10.6. The application site is situated outside any defined settlement boundary and therefore in the countryside and would result in some harm to the countryside and therefore in conflict with Policy DM4 of the SADMP. The proposed development has

demonstrated that it would significantly contribute to the economic growth and job creation and provide environmental benefits in the absence of harm when considered against other policies of the development plan, these benefits are considered to outweigh the harm identified to the open countryside. , and therefore weighs against the development.

## 11. Recommendation

### 11.1 Grant planning permission subject to:

- The completion within 3 months of this resolution a S106 agreement to secure the following obligations:
  - Coalville transportation infrastructure strategy contribution
  - National Forest Off site planting
  - Provision of opportunities for apprenticeships and work experience and employment and skills related training during the construction of the development.
  - One travel pack per employee £52.85 per pack from first occupation
  - One six month bus pass per employee £350 per pass
  - Sustainable Travel Accreditation and Recognition Scheme monitoring fee of £11,337.50
  - Improvements to surrounding rights of way
- Planning conditions outlined at the end of this report

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

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

### 11.4 Conditions and Reasons

#### Outline conditions

1. Application for the approval of reserved matters shall be made within three 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) and Policy DM1 of the SADMP.

2. No development shall be commenced until plans and particulars of "the reserved matters" referred to in the above conditions relating to the:-

- a) Appearance
- b) Landscaping
- c) Layout
- d) Scale

have been submitted to and approved, in writing, by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:  
Site Location Plan. Dwg No 30865-PL-201C  
Primary and secondary access arrangements ADC 1984-DR-006 Rev P5  
Development Parameters Plan Dwg No. 30865-PL-202L

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The first reserved matters application shall include a masterplan for the whole of the application site setting out indicative details of site layout, areas of open space, landscaping and National Forest planting, density parameters and scale, as well as details of any proposed phasing of development. The masterplan shall be in accordance with the approved masterplan. All development of the site shall thereafter be carried out in accordance with the agreed phasing and timetable details.

**Reason:** To ensure that the development of the site takes place in a consistent and comprehensive manner to ensure a high quality scheme is developed in accordance with the design principles of the development to accord with Policy DM4 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

5. The first reserved matters application shall be accompanied by full details of all measures proposed in respect of the enhancement of the biodiversity of the area in accordance with the ecology mitigation strategy by Lockhart and Garratt Ecology summary report V2 received on the 1 May 2020. This shall include proposals in respect to the siting of proposed bat and swallow house, and a future maintenance and a timetable for the implementation of the relevant measures. The development shall thereafter be undertaken and occupied in accordance with the agreed measures and timetable unless otherwise agreed in writing with the Local Planning Authority.

**Reason:** To ensure the development contributes to the enhancement and management of biodiversity of the area to accord with Policy DM6 of the Site Allocations and Development Management Policies DPD.

6. Prior to any development above foundation level, on each phase, representative samples of the types and colours of materials to be used on the external elevations of the development in that phase hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

**Reason:** To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development shall take place within each phase of development, until a Construction Environmental Management Plan (CEMP) for that phase has been submitted to and approved in writing by the Local Planning Authority. The CEMP shall set out the overall strategies for:

- The means of access and routing for demolition/ ground work and construction traffic
- The parking of vehicles of site operatives and visitors
- Loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Location of Contractor compound(s)
- Hours of construction
- Wheel washing facilities
- Management of surface water run-off including details of any temporary localised flooding management system and a scheme to treat and remove suspended solids from surface water run-off during construction
- Temporary highway works
- Prevention of impact to existing and proposed residents from dust, odour, noise, smoke, light and land contamination during construction
- Details of protecting the air quality of the surrounding area
- Details of how the above will be monitored and a procedure for the investigation of complaints.
- The management of surface water during the construction of the development. Details should demonstrate how surface water will be managed to prevent flood risk during the various construction stages. This shall include any temporary attenuation and controls.

The approved CEMP shall be adhered to throughout the construction period for that phase of development to which it relates.

**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 Policies DM7 and DM10 of the Site Allocations and Development Management Policies DPD.

8. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

9. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority 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 first dwelling being occupied.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

10. No development shall commence until a scheme for the treatment of the public rights of ways have been submitted to and approved in writing by the Local Planning Authority. The Scheme shall include provision of their management during construction, surfacing, width, structures, signing and landscaping in accordance with the principles set out in the Leicestershire County Councils Guidance Notes for Development. The approved scheme shall be adhered to in strict accordance.

**Reason:** To protect and enhance the Public Rights of Way and access in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and Paragraph 98 of the National Planning Policy Framework (2019).

11. Development shall not begin until surface water drainage details and calculations, incorporating sustainable drainage principles (SuDS) have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the full details prior to the completion of development.

**Reason:** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

12. Prior to commencement of development details in relation to the long term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site.

**Reason:** To establish a suitable maintenance regime that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

13. Any reserved matters application relating to scale or layout shall be accompanied by full details of the finished levels, above ordnance datum, of the ground floors of the proposed buildings in relation to existing ground levels. The details shall be provided in the form of site plans showing sections across the site at regular intervals with the finished floor levels of all proposed buildings and adjoining buildings. The development shall be carried out in accordance with the approved levels.

**Reason:** To ensure that a satisfactory relationship between the buildings, and the wider countryside in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

14. No demolition/development shall take place/commence until a staged programme of archaeological work (to include Historic Building Survey and below-ground investigation, commencing with an initial phase of trial trenching) has been undertaken. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, 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 allow proper investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies.

15. No part of the development hereby permitted shall be brought into use for any purposes falling within Class B2 of the Town and Country Planning (Use Classes) Order 1987 unless:

- i. As assessment of any associated odour impact on nearby dwellings and a scheme of mitigation
- ii. (If applicable) has been submitted to and agreed in writing by the Local Planning Authority; and
- iii. Any relevant scheme mitigation agreed under (i) above has been implemented in full in accordance with the agreed details.

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

16. Any reserved matters application shall include details of any externally sited sprinklers, tanks, pump houses, bin storage areas, smoking shelters, electricity sub stations or other plant, equipment or structures. The details shall include the siting and appearance.

**Reason:** To ensure that the development has a satisfactory external appearance to accord with Policy DM4 and DM10 of the Site Allocations and Development Management Plan Policies DPD.

17. Details of any external lighting on site shall be submitted for each unit prior to first occupation of any unit hereby approved. This shall include a layout plan with beam orientation and schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installing, maintained and operated in accordance with the approved plans prior to first use of any unit hereby approved.

**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 DPD.

18. Any reserved matters application shall include details and locations of charging points and solar panels.

**Reason:** In the interests of sustainable development, to accord with Policy DM10 of the Site Allocations and Development Management Policies DPD.

19. Before any development commences on the site, including site works of any description, a Tree Protection Plan prepared by a suitably qualified arboriculturist shall be submitted to and approved in writing by the local planning authority. The plan shall include protective barriers to form a secure construction exclusion zone and root protection area in accordance with British Standard 5837:2012 Trees in relation to design, any trenches for services are required within the fenced-off areas, they shall be excavated and back-filled by hand and any tree roots or clumps of roots encountered with a diameter of 25cm or more shall be left un-severed. The development shall be implemented in accordance with the approved Tree Protection Plan.

**Reason:** To ensure that the trees on site are to be retained and adequately protected during and after construction in the interests of the visual amenities of the area and biodiversity in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016) and paragraph 170 of the National Planning Policy Framework (2018).

20. Any reserved matters application 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.

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

21. No part of the outline development hereby permitted shall be used until such time as the primary and secondary access arrangements shown on ADC drawing number ADC1984-DR-006 Rev P5 have been implemented in full. The visibility splays, once provided, shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network in the interests of general highway safety and in accordance with Policy DM17 and DM10 of the Site Allocations and Development Management DPD.

22. The new vehicular access hereby permitted as part of this outline scheme shall not be used for a period of more than one month from first being brought into use unless all existing vehicular accesses on West Lane and Stanton Lane that become redundant as a result of this proposal have been closed permanently and reinstated

in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

**Reason:** In the interests of highway and pedestrian safety in accordance with DM17 of the Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

23. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 60 metres of the highway with West Lane and 20 metres of the highway boundary with Stanton Lane.

**Reason:** To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

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

**Reason:** To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

25. No part of the development hereby approved shall be brought into use until such a time as the off site works being the pedestrian footway linking the site to the existing provisions is carried out and completed in accordance with Dwg No. ADC1984-DR-006 Rev P5.

**Reason:** To mitigate the impact of the development in the interests of highway safety to accord with Policy DM17 and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

#### Full Conditions

26. 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 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

27. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan. Dwg No 30865-PL-201C

General Arrangement Plan Dwg no. E19-29- 018 Rev A

Farm Relocation Site - Site Layout Drg No: E19-29-018 Rev: A

Bin Store Location Plan

Farm Buildings Cattle Shed 1 Dwg No.E19-29-071

Farm Buildings Cattle Shed 1 Floorplan Dwg No.E19-29-071.1

Farm Buildings Bullpen and Calving Units Building 2 Elevations & Floorplan Dwg No.E19-29-073

Farm Buildings Bullpen and Calving Units Building 2 Elevations & Floorplan Dwg No.E19-29-073

Farm Buildings Cattle Shed Building 3 Elevations & Floorplan Dwg No.E19-29-073

Farm Buildings Grain Store Building 4 Elevations & Floorplan Dwg No.E19-29-074

Farm Buildings Farm Workshop Building 5 Elevations & Floorplan Dwg No.E19-29-075 Rev A

Proposed Planning Drawing Replacement House Number One. Dwg No.19029/01

Proposed Planning Drawing Replacement House Number Two. Dwg No.19029/11a

Farm Building Layout and Sections E19-29-014

Michael W Conway Dwg No. E19-28-018 Rev A

Received by the Local Planning Authority 1 May 2020

**Reason:** To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

28. The dwellings hereby permitted shall not be occupied until the agricultural Buildings and workshop, have been completed and is ready for occupation by livestock or grain in accord with Drawing Numbers:

Farm Buildings Cattle Shed 1 Floorplan Dwg No.E19-29-071.1

Farm Buildings Cattle Shed 1 Dwg No.E19-29-071

Farm Buildings Bullpen and Calving Units Building 2 Elevations & Floorplan Dwg No.E19-29-073

Farm Buildings Bullpen and Calving Units Building 2 Elevations & Floorplan Dwg No.E19-29-073

Farm Buildings Cattle Shed Building 3 Elevations & Floorplan Dwg No.E19-29-073

Farm Buildings Farm Workshop Building 5 Elevations & Floorplan Dwg No.E19-29-075 Rev A

Farm Buildings Grain Store Building 4 Elevations & Floorplan Dwg No.E19-29-074

Farm Building Layout and Sections E19-29-014

**Reason:** For the avoidance of doubt and to ensure the dwelling is used for residential purposes related to the efficient working of the rural economy in accordance with Policies DM4 and DM5 of the adopted Site Allocations and Development Management Policies DPD.

29. The occupation of the dwellings hereby permitted shall be limited to a person or persons solely or mainly working, or last working in the locality in agriculture as defined in Section 336 (1) of the Town and Country Planning Act 1990, or a widow or widower of such a person, and to any resident dependants.

**Reason:** For the avoidance of doubt and to ensure the dwelling is used for residential purposes related to the efficient working of the rural economy in accordance with

Policies DM4 and DM5 of the adopted Site Allocations and Development Management Policies DPD.

30. Notwithstanding the provisions of Article 3, Schedule 2, Part 1 Classes A, B, C, D, E, F and G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no enlargement, improvement or other alteration to the dwelling hereby permitted shall be erected or carried out without the grant of planning permission for such extensions by the Local Planning Authority.

**Reason:** To ensure that the development preserves the intrinsic value and landscape of the countryside, in accordance with Policies DM4 and DM5 of the adopted Site Allocations and Development Management Policies DPD.

31. No development shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local planning authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. The soft landscaping scheme 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 in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

32. The farmstead hereby permitted shall not be brought into use until such a time as the parking and turning facilities have been completed and made and available in accordance with Michael W Conway drawing number E19-29-011 and thereafter 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 Policy DM17 and 18 of the Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

33. The development hereby approved shall not be occupied until the access arrangements shown on Michael W Conway Dwg No. E19-28-018 Rev A has been completed.

**Reason:** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety to accord with Policy DM17 and 18 of the Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

34. No part of the full development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 120 metres have been provided at the site access.

These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

**Reason:** To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety to accord with Policy DM17 and 18 of the Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

35. The development hereby permitted shall not be occupied until such time as the parking turning facilities have been implemented in accordance with Michael W Conway drawing number E19-29-011. Thereafter the onsite parking provision shall be 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 that vehicles to enter and leave in a forward gear in the interests Policy DM17 and 18 of the Site Allocations and Development Management Policies DPD (2016) Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

36. Within 6 months of the development hereby approved has been occupied the existing farmstead including associated dwellings and outbuildings shall be demolished, and the land cleared of any associated material.

**Reason:** To ensure that the development does not result in the development of unjustified buildings in the countryside to accord with Policies DM4, DM5 and DM10 Site Allocations and Development Management Policies DPD

37. Development shall not commence until a scheme for protecting existing dwellings from odour from the proposed development has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details.

**Reason:** To ensure that the proposed use does not become a source of annoyance to nearby residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

38. Prior to commencement of development a Construction Environmental Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The plan shall detail how, during the site preparation and construction phase of the development, off street parking, 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. The plan shall detail how such controls will be monitored.

The plan will provide a procedure for the investigation of complaints. The agreed details shall be implemented throughout the course of the development.

**Reason:** To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

39. Construction work of the development, hereby permitted, shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays and at any time on Sundays and Bank Holidays unless otherwise agreed in writing.

**Reason:** To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

40. No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted in writing to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

41. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted in writing to and approved in writing by the Local Planning Authority 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 first dwelling being occupied.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

42. Upon completion of the remediation works a verification report shall be submitted to and approved by the Local Planning Authority. The verification report shall include details of the proposed remediation works and quality assurance certificates to show that the works have been carried out in full in accordance with the approved methodology. Details of any post-remedial sampling and analysis to show the site has reached the required clean-up criteria shall be included in the verification report together with the necessary documentation detailing what waste materials have been removed from the site.

**Reason:** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document (2016).

43. No development shall commence on site until a Biodiversity Management Plan for the site which shall set out the site-wide strategy for protecting and enhancing biodiversity including the detailed design of proposed biodiversity enhancements and their subsequent management once the development is completed, has been

submitted to the local planning authority for their approval in writing. The submitted plan shall include all retained and created habitats including SUDs, and bat and bird boxes. Development shall be implemented and thereafter maintained in accordance with the approved Management Plan.

**Reason:** To enhance the ecological value of the proposed development in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD.

44. Development shall not begin until surface water drainage details and calculations, incorporating sustainable drainage principles (SuDS) have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the full details prior to the completion of development.

**Reason:** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site to accord with Policy DM7 of the Site Allocations and Development Management Policies DPD.

45. Prior to commencement of development details in relation to the management of surface water on site during construction of the development shall be submitted to, and approved in writing by, the Local Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

**Reason:** To prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

46. Prior to commencement of development details in relation to the long term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site.

**Reason:** To establish a suitable maintenance regime that may be monitored over time; that will ensure the long term performance, both in terms of flood risk and water quality, of the sustainable drainage system within the proposed development in accordance with Policy DM7 of the Site Allocations and Development Management Policies DPD.

47. No demolition/development shall take place/commence until a staged programme of archaeological work (to include Historic Building Survey and below-ground investigation, commencing with an initial phase of trial trenching) has been undertaken. Each stage will be completed in accordance with a written scheme of

investigation (WSI), which has been [submitted to and] approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, 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 allow proper investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies