

**Planning Committee 22 April 2025
Report of the Head of Planning**

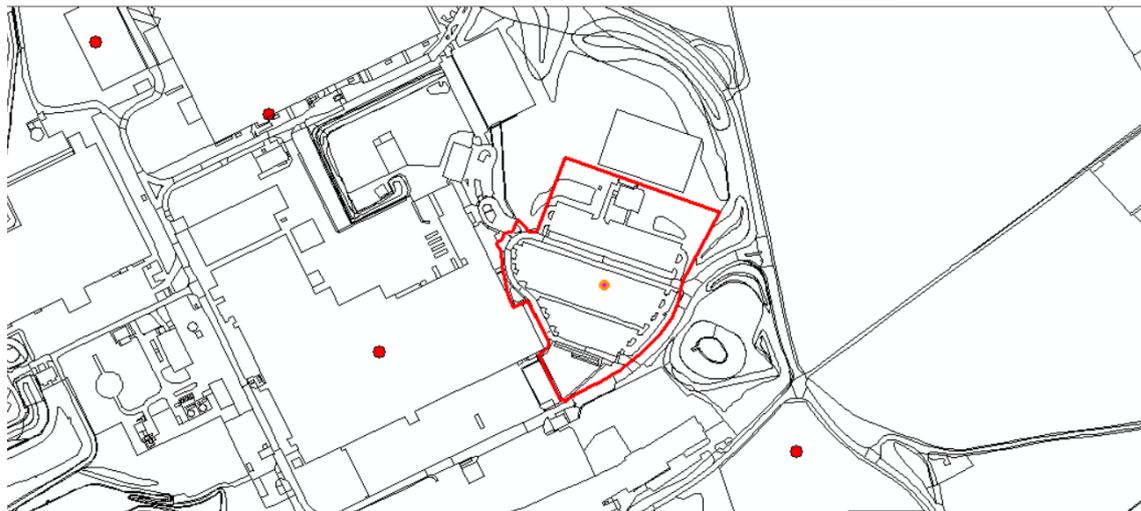
**Planning Ref: 24/00969/FUL
Applicant: Caterpillar UK Limited
Ward: Newbold Verdon, with Desford & Peckleton**



**Hinckley & Bosworth
Borough Council**

Site: Caterpillar UK Ltd, Peckleton Lane, Desford

Proposal: Reconfiguration and expansion of existing staff car park including new cycle and motorcycle stores and solar PV canopies.



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1. Recommendations

1.1. Grant planning permission subject to

- Planning conditions outlined at the end of this report

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

2. Planning application description

2.1. This application proposes the reconfiguration and expansion of the Caterpillar staff car park to provide 1, 212 spaces which would represent an increase of 332 parking spaces. The extension to the hard surfaced parking area would occur onto currently soft landscaped areas to the north and south of the existing car park. The expanded car park includes 12 disabled bays, 20 motorcycle parking spaces and 72 covered cycle stands.

2.2. The proposed car park expansion is required to address a shortfall in staff parking provision across the Caterpillar site. The difficulty in parking at the site currently causes operational difficulties for staff members with staff sometimes parking outside of the designated parking area. By expanding the car park as proposed Caterpillar state they will be able to maintain high levels of safety and security whilst continuing to attract and employ talent from the local area. Caterpillar also state that the expanded car park will also allow for a new production line to come on stream in 2025, creating an additional 130 jobs at the factory.

- 2.3. The proposals also include the installation of solar PV canopies over some car parking spaces which would create renewable energy for the site.
- 2.4. Additional landscaping is proposed within and around the car parking areas and on four other locations within the wider Caterpillar site.

3. Description of the site and surrounding area

- 3.1. The application site is located within the existing Caterpillar site on Peckleton Lane to the south of Desford. The site is outside of the Settlement boundary and is therefore located within the countryside.
- 3.2. The wider site comprises of numerous buildings relating to the wider manufacturing business. The facility has been operated by Caterpillar for over 70 years and employs around 1,600 staff at this site. The site is designated as a Category A Employment Site within the Site Allocations and Development Management Policies DPD (2016) (SADMP).
- 3.3. The site access is located off Peckleton Lane which would be unaffected by the proposed development.
- 3.4. The existing car park is located to the east of the Caterpillar site close to the site access off Peckleton Lane. It is a typical, hard surfaced car park interspersed with some soft landscaping including trees. To the northeast of the car park is a playing field which is designated open space within the SADMP.
- 3.5. There are no heritage assets identified on the site or within the immediate area which would be impacted by the proposed development.

4. Relevant planning history

- 4.1. The site has an extensive planning history; the most relevant applications are listed below:

12/00335/FUL

- Formation of new car park, internal access roads and relocation and alteration of earth bunds
- Planning permission
- 27/06/2012

15/00554/FUL

- Alterations and extension of an existing car part to provide an additional 276 parking spaces
- Planning permission
- 05/08/2015

23/00850/FUL

- Construction of storage and recycling processes building
- Planning permission
- 09/01/2024

24/01022/FUL

- Installation of cess tank within the Test Yard
- Planning permission
- 19/12/2024

5. Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site.
- 5.2. One comment was received by Dr Luke Evans MP, who provided a letter in support of the proposal outlining that Caterpillar employs around 1,500 people in Desford. The letter states that Caterpillar have invested £50m in their operation at Desford over the past five years and that Caterpillar now wish to further develop the site to both reduce their carbon footprint by installing solar PV panels as well as expand their car parking facilities for staff. The letter goes on to state that the Department of Business and Trade have also offered their support.

6. Consultation

- 6.1. **LCC Highways:** No objections
- 6.2. **LCC Ecology:** No objections subject to conditions requiring submission of a lighting scheme and a Biodiversity Enhancement Management Plan.
- 6.3. **Sport England:** No objections subject to conditions requiring the protection of the playing field during construction of the development and the submission of a community use agreement.
- 6.4. **HBBC Drainage:** No objections subject to conditions requiring the submission of a surface water drainage scheme and drainage management schemes during construction and for the long term maintenance of drainage on the site.
- 6.5. **HBBC Environmental Health Pollution:** No objections.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 7: Key Rural Centres
 - Policy 8: Key Rural Centres Relating to Leicester
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM2: Renewable Energy and Low Carbon Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interests
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
 - Policy DM19: Existing Employment Sites
- 7.3. Desford Neighbourhood Plan (2021)
 - Policy H1: Settlement Boundary
 - Policy H7: Housing Design
 - Policy ENV2: Protection of other sites and features of environmental significance
 - Policy ENV3: Biodiversity General

- Policy ENV7: Renewable Energy Infrastructure
- Policy F1: Retention of Existing Community Facilities
- Policy T1: Traffic Management
- Policy E1: Existing Employment Use

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highway Design Guide
- Open Space and Recreation Study (2016)

8. Appraisal

8.1. The key issues in respect of this application are:

- Principle of development
- Impact on Open Space, Sport and Recreational Facilities
- Design, layout and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Flooding/Drainage
- Ecology/Biodiversity Net Gain
- Planning balance

Principle of Development

8.2. 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. Paragraph 2 of the National Planning Policy Framework (NPPF) repeats this and states 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.

8.3. Paragraph 11 of the NPPF and Policy DM1 of the Site Allocations and Development Management Policies (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. The current Development Plan consists of the adopted Core Strategy (CS), the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016) and the Desford Neighbourhood Plan (Desford NP).

8.4. The latest Local Development Scheme (LDS) for the Emerging Local Plan outlines further Regulation 18 public consultation in 2025. At this stage given its early stage of preparation the Emerging Local Plan is attributed no weight when determining this application.

8.5. The application site lies outside the defined Settlement Boundary of Desford and is therefore treated as open countryside. Policy H1 of the Desford NP States that

development in the open countryside will be carefully controlled in line with local and national strategic planning policies.

- 8.6. Policy DM4 of the SADMP states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. The policy only considers development in the countryside sustainable where:
- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.7. The proposal includes the expansion and reconfiguration of the existing car park with associated renewable energy infrastructure through the provision of solar canopies. Whilst the proposal does not present the extension of existing buildings the proposal complies with the intent of criterion (b) as an expansion of existing facilities, whether the proposal leads to the enhance of the immediate setting is assessed in the report below.
- 8.8. The principle of installing solar canopies on the site complies with criteria (d) of Policy DM4, Policy DM2 of the SADMP and Policy ENV 7 of the Desford NP with these policies being supportive of solar renewable energy generation in principle, providing the development does not cause harmful visual or residential amenity impacts. These matters are assessed in the relevant sections of the report below.
- 8.9. The site is an allocated employment site (reference DES27). Policy DM19 of the SADMP and Policy E1 of the Desford NP support the retention of existing employment uses. As an expansion to ancillary employment facilities there would be no loss to the existing employment uses on site and therefore the development complies with both policies.
- 8.10. In conclusion, the development provides for expanded parking provision at an existing employment site whilst also facilitating renewable energy infrastructure. The principle of development complies with the above relevant policies of the Development Plan.

Impact on Open Space, Sport and Recreational Facilities

- 8.11. The northern section of the application site lies within an area of playing field allocated in the SADMP as an Outdoor Sports Facility (DES26). Proposed planting on the site would involve the loss of some of this playing field.
- 8.12. Policy DM8 of the SADMP is therefore relevant and states that planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use and areas of open space, as identified in the most recent Open Space, Sport and Recreational Facilities Study, except where:

- a) A replacement of an equivalent typology is provided, as defined by the most recent Open Space, Sport and Recreational Facilities Study, in an appropriate location serving the local community; or
 - b) It is demonstrated that there is a surplus of recreational land, facilities or open space of the same typology exceeding the needs of the local community; or
 - c) The development of a small part of a larger site in recreational use would result in the enhancement of recreational facilities on the community. remainder of the site, or on a nearby site serving the same
- 8.13. Similarly, Policy F1 of the Desford NP states that development leading to the loss of an existing community facility will not be supported unless it can be demonstrated that:
- a) There is no longer any need or demand for the existing community facility; or
 - b) The existing community facility is, demonstrably, no longer economically viable; or
 - c) The proposal makes alternative provision for the relocation of the existing community facility to an equally or more appropriate and accessible location within the Parish which complies with the other general policies of the Neighbourhood Plan
- 8.14. Paragraph 104 of the NPPF requires that existing playing fields should not be built on unless one of three criterion applies.
- (a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - (b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - (c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 8.15. The playing field is included in the Hinckley and Bosworth Playing Pitch Strategy (PPS) (2025) which will form part of the evidence base for the new local plan. The PPS shows that the playing field has one standard quality and one poor quality adult pitch alongside one youth 9v9, one mini 7v7 and one mini 5v5 pitch, which are all assessed as poor quality. The recommended actions within the PPS are to improve pitch quality and to ensure continued protection of the provision as playing fields for wider community use. The PPS does however identify the unsecure tenure of the site and the potential for development on the site, the study highlights that should development proposals proceed there should be appropriate mitigation in accordance national planning policy. Generally the PPS does not identify a surplus of playing pitches in the area and there is still a need for playing pitches.
- 8.16. Through consultation with Sport England (SE) and the Football Foundation (FF) it has been confirmed that whilst a club had been playing at the Caterpillar site for many years, in April 2024 the site owner removed community use on these pitches. The FF have stated that this site was key for the local club and that finding alternative sites is still causing challenges due to the undersupply of pitches in the area. Furthermore, there are currently only two football pitches laid out at the site as opposed to the five pitches identified in the PPS.
- 8.17. Therefore, whilst the lawful use of the site remains as a playing field there is currently no use of the playing field and as a private facility any sporting use of the playing field and access to the facilities is solely at the site owner's discretion. The security of the tenure is identified as a constraint within the PPS.

- 8.18. Whilst the development would lead to the loss of part of the existing playing field SE and the FF have confirmed that the proposed car park, associated solar panels and landscaping would not impact the use of the pitches themselves whether this is the two existing pitches or five pitches identified in the PPS. For this reason, SE have confirmed that the proposed development would broadly meet the requirements of Exception 3 of SE's Playing Fields Policy which allows for development of playing fields which affects only land incapable of forming part of a playing pitch and does not:
- reduce the size of any playing pitch;
 - result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);
 - reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
 - result in the loss of other sporting provision or ancillary facilities on the site; or
 - prejudice the use of any remaining areas of playing field on the site
- 8.19. Sport England have not objected on the basis that the development complies with Exception 3, but they have also requested that the development is subject to a planning condition requiring a community use agreement to be agreed and implemented to ensure that the remaining land is protected and secured for community uses to address the shortfall of pitches in this area. Whilst the intent of this condition would meet the aims of the PPS in securing community use of the site, such a condition is not considered to be reasonable or necessary to make the development acceptable considering that the development does not in itself impact the use of playing pitches themselves or the community use of the site which has ceased irrespective of this application. SE were consulted on this view and did not provide any further comment or objection to the proposal to not include a community use condition.
- 8.20. Ultimately some conflict remains with Policy DM8, Policy F1 of the Desford NP and paragraph 104 of the NPPF because the development does not provide compensatory areas of open space. However, this harm is attributed limited weight because the development does not impact the area, number or useability of the playing pitches themselves. As suggested by SE a condition is recommended ensuring that fencing is put in place and that the playing field is protected during construction of the development.

Design, layout and impact upon the character of the area

- 8.21. Section 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed places.
- 8.22. Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

- 8.23. Section 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment.
- 8.24. Paragraph 187(b) specifically highlights that this should be achieved by, “Recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services...”
- 8.25. This is supported by Policy DM4 of the SADMP, which states that development in the countryside will be considered sustainable where:
- i.) It does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside; and
 - ii.) It does not undermine the physical and perceived separation and open character between settlements; and
 - iii.) It does not create or exacerbate ribbon development.
 - iv.) If within a Green Wedge, it protects its role and function in line with Core Strategy Polices 6 and 9; and
 - v.) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.
- 8.26. Policy DM4 also requires extensions to existing buildings to provide an enhancement to the immediate setting.
- 8.27. Policy DM10(c), (d) and (e) of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.28. Policy H7 of the Desford NP states that all new commercial properties should enhance and reinforce the local distinctiveness and character of the area in which it is situated. Care should be taken to ensure that the development does not disrupt the visual amenities of the street scene and impact negatively on any significant wider landscape views.
- 8.29. Policy ENV 7 of the Desford NP requires renewable energy developments to not have an adverse impact on identified views or the character of the landscape.
- 8.30. The proposal seeks the reconfiguration and expansion of the existing staff car park with the erection of bike and motorcycle storage, alongside solar PV canopies. The site is set back from Peckleton Lane, with a number of mature trees and a significant green bank located between the car parking and the highway which would be retained. It is considered that the development would not be highly visible from public vantage points. Similarly, the site is considered to be heavily industrial in nature and as such the proposal would not have a detrimental impact on the character of the area or the intrinsic character of the countryside.
- 8.31. The development would necessitate the remove of 58 individual trees and 6 groups of trees. This includes 10 Category B trees, 24 Category C trees and 24 Category U trees, the tree groups are all Category C. This is a significant number of trees, however, the development proposes compensatory planning on a 1:3 replacement basis. Landscaping plans have been submitted which includes the planting of 175 trees, wildflower grass seeding alongside shrub and perennial planting. Soft landscaping is proposed at the end of and between some car parking rows as well

as around the periphery of the car park. In addition, four further areas within the wider Caterpillar site will benefit from additional soft landscaping including tree planting. The additional soft landscaping would provide visual enhancements to the site from the surrounding area and countryside meeting the enhancement test set out in Policy DM4.

- 8.32. Overall whilst a significant loss of trees would occur this is considered to be mitigated for through the landscaping strategy. Considering the industrial nature of the site and that the development would be well screened from public views the development complies with the aforementioned policies of the Development Plan. Conditions are recommended requiring compliance with the soft landscaping plans and requiring full details of the solar canopies and lighting strategy to be submitted and approved by the LPA.

Impact upon neighbouring residential amenity

- 8.33. Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.34. Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.35. Policy ENV 7 of the Desford NP requires renewable energy developments to not have an adverse impact (noise, shadow, flicker, other visual impact, water pollution, smell, air quality impairment, gaseous or particulate emissions) on the health, wellbeing or amenities of residents and visitors.
- 8.36. By virtue of the scale and nature of the development and its location away from any residential properties the development would not give rise to any neighbouring amenity impacts and complies with the above policies.

Impact upon highway safety

- 8.37. Section 9 of the NPPF promotes sustainable transport. Paragraph 115 of the NPPF states that in assessing specific applications for development it should be ensured that sustainable transport modes are prioritised, safe and suitable access to the site can be achieved for all users, the design of streets, parking areas and other transport elements reflect national guidance. Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 8.38. Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.39. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and

changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)).

- 8.40. Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.41. Policy T1 of the Desford NP states that with particular regard to the rural highway network of the Parish and the need to minimise any increase in vehicular traffic all housing and commercial development must be designed to minimise additional traffic generation and movement through the villages, not remove or compromise the use of any existing off-road parking areas unless a suitable equivalent alternative is provided. Furthermore, developments should provide any necessary improvements to site access, communal parking and the highway network either directly or by financial contributions and consider, where appropriate, the improvement and where possible the creation of footpaths and cycleways to key village services.
- 8.42. The proposals would result in an additional 332 car parking spaces being provided within the site, along with a replacement motorbike and cycle shelter due to the current facility being in a poor state of repair. Accessible parking provision would also be improved.
- 8.43. Leicestershire County Council (LCC) as the Local Highway Authority (LHA) have raised no objections to the development and have removed an initial request for conditions.

Trip Generation/ Distribution and Off-Site Implications

- 8.44. It is understood that the current number of car parking spaces within the site does not satisfy demand, which means that employees often park in locations not designated for parking, causing frustration and operational challenges. The Applicant has stated that in 2025, a new line called 'Trident' is going to come online, which will see the addition of 130 new members of staff to the factory. Without the addition of extra parking, the Applicant anticipates the pressure on existing parking and negative experience of staff will be exacerbated. No additional industrial floorspace is proposed as part of this application.
 - 8.45. An increase in staff numbers does not require planning permission and could be undertaken by the Applicant at any time. In addition, this could happen without any additional car parking spaces being applied for through the planning process.
 - 8.46. Under the site-specific circumstances, the LHA have therefore not required a detailed trip generation or distribution analysis and will not be seeking further analysis of the impact of the proposals on surrounding major junctions such as the A47 Hinckley Road/ B582 Desford Road/ B582 Leicester Lane junction (Desford Crossroads), where a number of recent developments have been required to contribute towards an improvement scheme.
- Site Access*
- 8.47. No amendments are proposed to the existing site access arrangements onto Peckleton Lane, a C classified road subject to the national speed limit. Under the site-specific circumstances, this is accepted by the LHA.

Highway Safety

- 8.48. Based on available records to the LHA, there have been three Personal Injury Collisions (PIC's) recorded within 500m either side of the site access within the last five years. These were all recorded as slight. The first and second PIC's occurred in 2022 at the junctions of Peckleton Lane with the site access and Peckleton Common respectively. These both involved right turning vehicles and rear end shunts. The third PIC occurred in May 2024 and involved a turning HGV and another vehicle at the junction of Peckleton Lane with Neovia Logistics.
- 8.49. Whilst all three PIC's involved turning vehicles at a junction, the LHA considers that they are all individual, isolated incidents at each junction. Furthermore, as detailed further above, the Applicant could increase the number of staff on-site without the need for planning permission.
- Internal Layout*
- Additional car parking spaces*
- 8.50. The Applicant has stated that currently, the car park has a one-way system that makes finding a parking space more difficult and can lead to drivers having to exit the car park, then re-enter should they be unsuccessful in finding a parking space. Drivers do not however need to exit the site onto Peckleton Lane and then re-enter the site in order to travel through the car park again in order to find a parking space. The majority of spaces are also designed to dimensions of 2.4 x 4.8m which it is claimed makes it difficult for larger vehicles to park.
- 8.51. Current shift patterns and a headcount of staff have been provided by the Applicant within Appendix A.1 of the Transport Statement (TS). In addition, they have made reference to a travel survey which was undertaken at the site in 2011. The Applicant has advised that whilst the results in 2024 may be slightly different, the broad activity/ feedback aligns with current activity, and they are aware that some staff also car share. A car occupancy rate of 1:1 people per car has been assumed on the basis that similar home locations and shift start/ finish times may be uncommon. Whilst the LHA consider the travel survey is out of date, under the site-specific circumstances given the Applicant could increase staff numbers without an expansion of the car park, as well as the site location, an occupancy rate of 1:1 people per car is considered reasonable.
- 8.52. The Applicant has then calculated the current accumulation of cars on-site throughout the day for the current workforce, as shown within Figure 9 of the TS. This shows that the parking facilities are oversubscribed for most of the day. The Applicant states that while staff do eventually get parked, the current pattern of activity sees vehicles parked erratically across the site, with staff expressing feedback about frustration with current provisions.
- 8.53. The Applicant has repeated this process for the 130 additional staff, along with the additional 332 parking spaces. Figure 10 of the TS shows that car parking would not exceed capacity if the new car park was implemented, meaning staff would find parking spaces quicker and leading to more efficient use of the site. In addition, improvements are proposed to the level of disabled parking provision within the site and electric vehicle parking is proposed.
- 8.54. The LHA accept that the additional parking provision would be beneficial to the site and the operation of the public highway. The Applicant has submitted JJJ drawing number 90_03 Rev. P02 which provides details of the replacement motorcycle shelter. This shows 21 undercover motorcycle spaces, with Sheffield style motorcycle hoops. This is welcomed by the LHA.

Proposed solar panels

- 8.55. Solar panels are proposed to be installed above a number of the existing car parking spaces. The LHA initially request a condition requiring details of how staff car parking would be managed throughout the installation process. However, the LHA have since advised this is not necessary for the purposes of highway safety.

Transport Sustainability

- 8.56. The Applicant has acknowledged that the site is some distance from bus stops and there is currently no pedestrian footway link to Desford, in addition shift patterns make it difficult for some staff to use public transport and car share. A Framework Travel Plan has been submitted in support of the proposals which outlines how the Applicant intends to promote sustainable travel options such as walking and cycling as well as encourage uptake in the use of public transport. It is also noted an area of the car park may also be allocated as priority parking for car sharers. This is welcomed by the LHA and the Applicant is encouraged to implement the measures proposed. Under the site-specific circumstances however, the LHA believe it would not be possible to justify a Travel Plan monitoring fee.
- 8.57. In conclusion the highway arrangements are considered to be acceptable and to comply with policies DM17 and DM18 of the SADMP, Policy T1 of the Desford NP and the LHDG.

Flooding and Drainage

- 8.58. Policy DM7 of the SADMP outlines that adverse impacts from flooding will be prevented. Developments should not create or exacerbate flooding by being located away from area of flood risk unless adequately mitigated in line with National Policy. Policy DM10 outlines the requirement for an appropriate Sustainable Drainage Scheme.
- 8.59. The HBBC Drainage officer has raised no objections subject to the submission and approval of surface water drainage and maintenance plans for the development. Subject to these conditions, the development complies with Policy DM7 of the SADMP.

Ecology/ Biodiversity Net Gain

- 8.60. Policy DM6 of the SADMP states that major development must include measures to deliver biodiversity gains through opportunities to restore, enhance, and create valuable habitats, ecological networks, and ecosystem services. On-site features should be retained, buffered, and managed favourably to maintain their ecological value, connectivity, and functionality.
- 8.61. Policy H7 of the Desford NP states that development should be enhanced by fostering biodiversity and landscaping with existing trees and hedges preserved whenever possible.
- 8.62. Policy ENV2 of the Desford NP lists the vegetation to the east and south east of the site as being of local significance for biodiversity. Development proposals that affect them will be expected to protect or enhance the identified features. Policy ENV 3 of the Desford NP states that development proposals that cannot avoid (through, for example, locating to an alternative site with less harmful impacts), adequately mitigate, or, as a last resort, compensate for, the loss of a locally identified site of biodiversity value will not be supported. Development proposals that conserve or

enhance biodiversity, and incorporate biodiversity in and around them, will be supported. Where a development proposal will adversely affect a protected species, an appropriate and suitable survey will be undertaken prior to development, and mitigation measures will be required as a development condition.

- 8.63. Policy ENV7 of the Desford NP states that renewable energy developments should not have an adverse effect on biodiversity.
- 8.64. The submitted Preliminary Ecological Appraisal provides a satisfactory evaluation of the Site's potential for supporting protected and priority species and impacts of the proposed development on those species, existing habitats and wider area. Preliminary roost assessments for bats were carried out by an appropriately licenced individual and limitations were highlighted. While the survey was undertaken outside the optimal time of year for botanical surveys, given the predominance of hardstanding on Site, the habitat evaluation is considered to be accurate. A number of recommendations are included within the Appraisal and a condition is recommended requiring compliance with these recommendations in line with the comments provided by LCC Ecology.
- 8.65. As detailed above the development does involve the loss of several trees, however, this is mitigated to an acceptable degree through significant replacement tree planting. The proposal would not impact on the vegetation to the east and north east of the site which is of local significance under Policy ENV2 of the Desford NP.
- 8.66. The development will be subject to the mandatory Biodiversity Net Gain (BNG) condition which means the applicant will need to submit a Biodiversity Gain Plan for the LPAs approval and provide for a minimum 10% net gain in biodiversity. Despite biodiversity enhancements occurring on site the current proposals do not achieve a minimum of 10% BNG on site, however, the applicant has provided a strategy which confirms the additional BNG will be provided through off-site credits. As is required by the relevant legislation, full details of BNG will need to be provided to the LPA prior to commencement of the development. However, the applicant has provided sufficient evidence that 10% BNG will be provided.
- 8.67. Overall, subject to conditions the application is therefore considered to comply with the aforementioned policies of the Development Plan.

Planning Balance

- 8.68. The application site lies within the countryside on a designated employment site. The extended car park would enhance parking facilities and subsequently improve day-to-day operations at the site. As an expansion to existing employment facilities the principle of development complies with policies DM4 and DM19 of the SADMP and Policies H1 and E1 of the Desford NP. Furthermore, the development includes solar PV canopies which would contribute to providing renewable energy on the site, this is supported by policies DM2 and DM4 of the SADMP as well as Policy ENV7 of the Desford NP.
- 8.69. Subject to conditions no harm has been identified to the character of the area, neighbouring amenity, highways, ecological assets, flooding or drainage.
- 8.70. However, conflict has been identified with Policy DM8 of the SADMP and Policy F1 of the Desford NP through the loss of an area of designated playing field on the site and the lack of compensatory areas of open space. As outlined in paragraph 8.20 of the report, this harm is attributed limited weight because the development does not impact the area, number or useability of the playing pitches on the site.

8.71. The limited harm identified is considered to be outweighed by the social, economic and environmental benefits of the development. Direct benefits of the development include social and economic benefits through employment created during the construction of the development. Environmental benefits are provided through the generation of renewable energy, helping meet the challenge of climate change. Owing to the scale and nature of the development these direct benefits are each attributed limited weight in the planning balance but cumulatively would outweigh the limited harm identified. With the existing car park not currently meeting the demands of the site, the expansion of the car park would also provide indirect and moderate social and economic benefits through supporting and facilitating future expansion plans for the business which in turn will generate additional employment and economic output at the site.

8.72. By virtue of these factors, it is considered that the identified limited harm through the loss of playing field would not significantly nor demonstrably outweigh the benefits of the scheme.

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.

10. Conclusion

10.1. Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

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

12. Conditions and Reasons

1. 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.

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

Site Location Plan - Drg No. A257-90_02 P02
Caterpillar Car Park Extension - Drg No.D51811/RD/B
Motorcycle Shelter - Drg No. A257 90_03 P02
Proposed Car Park Plan - Drg No. A257 90_01 P06
Landscape Strategy - Sheet 1 of 2 - Drg No. N1432-ONE-ZZ-XX-DR-L-0001-P02
Landscape Strategy - Sheet 2 of 2 - Drg No. N1432-ONE-ZZ-XX-DR-L-0002-P01
Site Preparation Drainage and External Works (existing carpark) - Drg No. 2023097-PCE-XX-XX-DR-C-006-0
Site Preparation Drainage and External Works - Sheet 2 (existing carpark) - Drg No. 2023097-PCE-XX-XX-DR-C-007-0
Carparks 1-3 External Works - Drg No. 2023097-PCE-XX-XX-DR-C-002-0
Site Preparation - Drg No. 2023097-PCE-XX-XX-DR-C-001-0
Drainage Layout - Drg No. 2023097-PCE-XX-XX-DR-C-005-0
Proposed Site Layout Plan - Drg No. PL-00001 AA

Reason: To ensure a satisfactory form of development in accordance with policies DM1, DM4, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and policies H1, H7, ENV3, and T1 of the Desford Neighbourhood Plan (2021).

3. No development approved by this planning permission shall take place until full details of the solar canopies have been submitted to and approved in writing by the Local Planning Authority. The solar canopies shall then be constructed in accordance with the approved details.

Reason: To ensure a satisfactory form of development in accordance with policies DM2, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and policies H7 and ENV7 of the Desford Neighbourhood Plan (2021).

4. No development approved by this planning permission shall commence until a scheme to provide a sustainable surface water drainage system, in accordance with the Flood Risk and Drainage Impact Assessment dated March 2024, has been submitted to and approved by the Local Planning Authority. Thereafter, the drainage scheme shall be implemented in accordance with the approved details prior to first use of the development.

Reason: To ensure that any adverse impacts from pollution and flooding are mitigated and prevented in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development approved by this planning permission shall commence until details in relation to the management of surface water on site during construction of the development have been 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. Thereafter, construction of the development shall be carried out in accordance with the approved details.

Reason: To ensure that any adverse impacts from pollution and flooding are mitigated and prevented in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. No development approved by this planning permission shall commence until details in relation to the long term maintenance of the sustainable surface water drainage system on the development have been submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include responsibilities and schedules 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. Thereafter, the sustainable surface water drainage system shall be retained and maintained in accordance with the approved details.

Reason: To ensure that any adverse impacts from pollution and flooding are mitigated and prevented in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development approved by this planning permission shall commence until a Biodiversity Enhancement Management Plan (BEMP) has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that biodiversity, ecological and geological interests are protected, enhanced and maintained in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and policies ENV2 and ENV3 of the Desford Neighbourhood Plan (2021).

8. No development approved by this planning permission shall commence until a construction fence has been erected along the northern and western boundary of the proposed car park adjacent to the playing field. This construction fence line (limit of works) shall remain in place throughout the duration of the construction activity and no works/storage shall take place on the playing field area which lies outside of this fence.

Reason: To ensure that the retained playing field at the site is protected during construction of the approved development in accordance with the requirements of Policy DM8 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy F1 of the Desford Neighbourhood Plan (2021) and in accordance with the National Planning Policy Framework (December 2024).

9. No lighting shall be installed on the development hereby approved until a suitable lighting scheme, as recommended within the submitted Preliminary Ecological Appraisal, has been submitted to and approved in writing by the Local Planning Authority. The lighting shall then be installed and retained in accordance with the approved details in perpetuity unless otherwise agreed by the Local Planning Authority.

Reason: To ensure that biodiversity, ecological and geological interests are protected and to ensure a satisfactory form of development in accordance with policies DM4, DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and policies H7 and ENV3 of the Desford Neighbourhood Plan (2021).

10. The construction of the development shall be carried out in accordance with the Arboricultural Method Statement (Section 11 of the submitted Arboricultural Report by Apex Environmental) and the Tree Protection Plan drawing no. AEL-18910-TPP.

Reason: To ensure that onsite trees are protected during the construction of the development in accordance with policies DM4, DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and policies H7, ENV2 and ENV3 of the Desford Neighbourhood Plan (2021).

11. The development shall be carried out in accordance with the recommendations contained within section 6.3 and 7.2 of the submitted Preliminary Ecological Appraisal.

Reason: To ensure that ecological interests are protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy ENV3 of the Desford Neighbourhood Plan (2021).

12. The parking and turning facilities shall be implemented in accordance with the Proposed Car Park Plan - Drg No. A257 90_01 P06 and thereafter the onsite parking and turning provision shall be kept available for such uses 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 policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Policy T1 of the Desford Neighbourhood Plan (2021) and in accordance with the National Planning Policy Framework (December 2024).

Notes to applicant

1. The development is subject to the statutory "biodiversity gain condition". A Biodiversity Gain Plan needs to be submitted to and approved in writing by Hinckley and Bosworth Borough Council prior to commencement of development. Please note your planning application does not legally secure any new off-site habitats and therefore any off-site gains you plan to use will already need to have been legally secured and registered. Further information regarding the submission of a Biodiversity Gain Plan is included below.

2. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
3. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
4. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).