DATE: 26 September 2023
MY REF: Planning Committee
YOUR REF:
CONTACT: Sandeep Tiensa
TEL NO: 0116 272 7640
EMAIL: committees@blaby.gov.uk

To Members of the Planning Committee

Cllr. Lee Breckon JP (Chairman)
Cllr. Mike Shirley (Vice-Chairman)

Cllr. Cheryl Cashmore
Cllr. Tony Deakin
Cllr. Richard Holdridge
Cllr. Dillan Shikotra
Cllr. Bob Waterton
Cllr. Bev Welsh
Cllr. Neil Wright

Dear Councillor,

A meeting of the **PLANNING COMMITTEE** will be held in the Council Chamber - Council Offices, Narborough on **THURSDAY, 5 OCTOBER 2023** at **4.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully

Louisa Horton
Corporate Services Group Manager and Monitoring Officer

AGENDA

REFERENCING UP OF DECISIONS - COUNCIL CONSTITUTION PAGE 3-6-20

Any Committee or Sub-Committee may refer up any report for decision to its parent body. Referencing up shall be on the following basis:-

a) At the beginning of the relevant meeting, any Committee/Sub-Committee Member may move reference up of any item of business. The Member must identify the grounds of significance justifying so doing. If this is seconded, the proposition shall be open to debate.

b) There shall be no debate upon the contents of the report itself. Debate shall be limited to consideration as to whether the report item is of such significance as to justify its reference up to the parent body notwithstanding that the parent body has delegated its decision making powers.

c) If the referencing up motion is carried, the matter shall not be determined at the meeting. If the referencing up motion is not carried, the matter shall be dealt with in accordance with the Committee/Sub-Committee's delegated powers.

AGENDA

1. Apologies for absence

2. Disclosures of Interest

To receive disclosures of interests from Members (ie. The existence and nature of those interests in respect of items on this agenda).

3. Minutes (Pages 3 - 8)

To approve and sign the minutes of the meeting held on 7 September 2023 (enclosed).

4. Applications for Determination (Pages 9 - 122)

5. Information Reports (Pages 123 - 134)

MEMBERS SHOULD NOTE THAT ALL LETTERS OF REPRESENTATION AND CONSULTATION RESPONSES WILL BE SUMMARISED IN THE COMMITTEE REPORTS. BACKGROUND PAPERS TO REPORTS WILL BE AVAILABLE TO VIEW ON THE COUNCIL'S WEBSITE.

PLANNING COMMITTEE

Minutes of a meeting held at the Council Offices, Narborough

THURSDAY, 7 SEPTEMBER 2023

Present:-

Cllr. Lee Breckon JP (Chairman)
Cllr. Mike Shirley (Vice-Chairman)

Cllr. Cheryl Cashmore	Cllr. Richard Holdridge	Cllr. Bob Waterton
Cllr. Tony Deakin	Cllr. Dillan Shikotra	Cllr. Bev Welsh

Substitute:-

Cllr. Janet Forey (In Place of Cllr. Neil Wright)

Officers present:-

Kristy Ingles	-	Development Services Manager
Ian Davies	-	Development Services Team Leader
Helen Wallis	-	Senior Planning Officer
Charlene Hurd	-	Senior Planning Officer
Sandeep Tiensa	-	Senior Democratic Services & Scrutiny Officer
Nicole Cramp	-	Democratic & Scrutiny Services Officer
Isaac Thomas	-	Democracy Support Officer

Apologies:-

Cllr. Neil Wright

84. DISCLOSURES OF INTEREST

Cllr. Richard Holdridge	-	23/0271/HH, Peatling Road, Countesthorpe
Nature of Interest	-	Disclosable Pecuniary Interest

Extent of Interest	-	Cllr. Holdridge owns the property under consideration in Item 23/0271/HH. Cllr. Holdridge will leave the room before this item is discussed.
Cllr. Bob Waterton	-	23/0514/FUL, 1 Little Masons Close, Thorpe Astley, Braunstone Town.
Nature of Interest	-	Other Registerable Interest
Extent of Interest	-	Cllr. Waterton is the Chairman of the Braunstone Town Council Planning and Environmental Committee. Cllr. Waterton has arrived at the meeting with an open mind and will take part in the discussion and vote on the item.

85. MINUTES

The minutes of the meeting held on 29 June 2023, as circulated, were approved and signed as a correct record.

86. APPLICATIONS FOR DETERMINATION

Cllr. Dillan Shikotra announced to the Committee that as he was unable to attend the site visit, he will participate in the discussion but not vote on the applications as listed in the agenda.

Cllr. Richard Holdridge, having earlier declared a pecuniary interest, left the meeting before this item was considered.

Considered – Report of the Senior Planning Officer.

23/0271/HH
Single storey front extensions to form garage. New outbuilding in rear garden.

30 Peatling Road, Countesthorpe, Leicestershire, LE8 5RD

DECISION

THAT APPLICATION 23/0271/HH BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. 3-year condition.
2. Approved plans.
3. External materials as per the application form.
4. The occupation of the outbuilding shall be ancillary to the residential occupation of the main dwelling. It shall not be occupied as a separate living unit nor, business unit and should not be sold, let or otherwise disposed of.

Considered – Report of the Senior Planning Officer.

23/0514/FUL
Favour Health Ltd
Change of use from C3 (Dwellinghouses) to C2 (Residential Institutions) to allow use as a Children's Home

1 Little Masons Close, Thorpe Astley, Braunstone Town, Leicestershire, LE3 3TE

Public Speaking

Pursuant to Part 4, Section 7 of the Council's Constitution in relation to public rights of participation in planning applications, the Chairman allowed the following to give a 5 minute presentation:

- Cllr. Alex DeWinter – Ward Member
- Steve O'Hare – Objector

DECISION

THAT APPLICATION 23/0514/FUL BE REFUSED FOR THE FOLLOWING REASONS:

1. The District Planning Authority considers that the use of the premises for a Class C2 Childrens Home would result in undue noise and general disturbance affecting nearby residents, which would be contrary to Policy DM1 of the Blaby District Local Plan (Delivery) Development Plan Document (Feb 2019).
2. Furthermore, the District Planning Authority does not consider that the off-street car parking available to serve this use is sufficient to cater for all the staff and visitors to the site which would give rise to indiscriminate on-street car parking in the vicinity of the junction between Little Masons Close and Burchnall Road which would be contrary to the best interests of highway safety and this would be contrary to Policy DM8 of the Blaby District Local Plan (Delivery) Development Plan Document (Feb 2019).

Considered – Report of the Development Services Team Leader.

Hamdon Gate Developments
23/0546/FUL
Erection of Industrial / Warehouse building (Class E (g) iii / B2 / B8) with ancillary offices, together with new access, and associated parking, servicing, landscaping and retaining walls (revised scheme to 22/0356/FUL).

Plot 20 Optimus Point, Land off Optimus Way, Glenfield

DECISION

THAT APPLICATION 23/0546/FUL BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. Time limit.
2. Approved plans.
3. Materials as specified.
4. Approved landscaping to be carried out.
5. Approved sustainable drainage strategy to be implemented.
6. Details of surface water management during construction to be submitted.
7. Approved finished floor levels to be implemented.
8. Lighting scheme and CCTV provision to be agreed and subsequently implemented.
9. Reporting of unexpected contamination.
10. Approved Construction Method Statement to be implemented.
11. Any external storage of goods, equipment or materials to be agreed.
12. No external plant or machinery etc to be installed without planning permission.
13. No outdoor working/fabrication/manufacturing.
14. New access to be constructed in accordance with approved plans prior to first occupation/use of the building.
15. Off street HGV, car and cycle parking and associated turning facilities as shown on approved plans to be provided prior to first use and thereafter retained.
16. Access roads to be hard surfaced prior to use and maintained.
17. Unit specific Travel Plan to be submitted and approved and implemented in accordance with the approved Site Wide Travel Plan.
18. Ecological safeguarding recommendations as set out in submitted Ecology Report to be adhered to throughout construction phase.
19. The unit shall be restricted to uses and activities falling within Classes E(g) iii, B2 and B8 with ancillary offices only.

Considered – Report of the Development Services Team Leader.

Everyone Active
23/0560/FUL
Extension to existing car park to create 50 additional car parking spaces.

Enderby Leisure Centre, Mill Lane, Enderby.

DECISION

THAT APPLICATION 23/0560/FUL BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. Time limit.
2. Approved plans.
3. Materials as specified.
4. Tree protection measures to be undertaken for retained trees.

The following condition was added to the list of conditions set out in the agenda:

5. Prior to first use of the extended car park, a scheme shall be submitted to and approved by the District Planning Authority showing replacement tree planting within the wider Leisure Centre Site, and those trees shall be planted within the next available planting season and thereafter retained/replaced for a minimum period of 5 years.

THE MEETING CONCLUDED AT 6.10 P.M.

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Blaby District Council

Planning Committee

Date of Meeting	**5 October 2023**
Title of Report	**Applications for Determination**
Report Author	Group Manager – Planning & Strategic Growth

1. What is this report about?

1.1 To determine planning applications as listed in paragraph 3.2 below and detailed in the attached report.

2. Recommendation

2.1 That the recommendations listed within paragraph 3.2 below and detailed in the attached report be approved.

3. Matters to consider

3.1 To avoid unnecessary delay in the processing of planning applications, the recommendations included in this list must often be prepared in advance of the closing date for the receipt of representations. This list was prepared on **26 September 2023** and information of representations received will be updated at your meeting. This updating will also cover any other information which may come to hand in the intervening period. Closing dates are given where they fall on or after the day of preparation of the list.

3.2

Application No.	Page No.	Address	Recommendation
19/0164/OUT	**11**	**Land to the West of St Johns (B4114), Enderby**	**Approve**
23/0234/FUL	**101**	**Land to the West of Autoglass Ltd, Meridian North**	**Approve**
23/0541/FUL	**115**	**1 Fosse Close, Sharnford**	**Approve**

3.3 Appropriate Consultations

Details of organisations / persons consulted in relation to the applications are included in the reports for each individual application. Members will be aware that full copies of correspondence received are available to view on the

respective planning file and through the planning portal https://w3.blaby.gov.uk/online-applications/

3.4 Resource Implications

There are no specific financial implications arising from the contents of this report.

4. Other options considered

These are included where appropriate as part of the reports relating to each individual application.

5. Background paper(s)

Background papers are contained in files held in the Planning Division for each application being considered and are available for public inspection.

6. Report author's contact details

Ian Davies Development Services Team Leader
planning@blaby.gov.uk 0116 272 7705

19/0164/OUT	**Registered Date 18/02/2019**	**Mather Jamie Limited for the Drummond Estate and Inverock Ltd**

Outline application for a commercial development consisting of the erection of x4 warehouse buildings with ancillary offices and gatehouses (Use Class B8) and x1 training and education centre (Use Class F1) including associated access off Leicester Lane

Land To The West Of St Johns (B4114), Enderby

Report Author: Lloyd Bird, Principal Planning and Conservation Officer
Contact Details: Council Offices. Tel: 0116 272 7518

RECOMMENDATION: THAT APPLICATION 19/0164/OUT BE APPROVED SUBJECT TO:

The applicant entering into an agreement pursuant to Section 106 of the Town and Country Planning Act to secure the following developer contributions:

- A financial contribution towards the cost of a feasibility study to establish need for providing an on-site logistics training and education centre in order to support the proposed employment development and the wider logistics sector.
- In the event that the feasibility study identifies a need for an on-site logistics training and education centre, the applicant/developer shall deliver an on-site training facility to support the proposed employment development and the wider logistics sector.
- A contribution of £6,700,000 to provide the Lubbesthorpe Way widening scheme.
- A contribution of £121,800 to upgrade the B4114/Park & Ride and B4114/Penman Way signal junctions to MOVA signal operation.
- A contribution of £263,498 towards the Desford Crossroads scheme improvement.
- Travel Packs.
- Bus Passes.
- An on-site open space management strategy and maintenance contribution.
- An air quality monitoring contribution of £65,000 towards Air Quality Monitoring Station 2 (Mill Hill, Enderby) and other monitors.

And the imposition of conditions relating to the following matters:

1. Statutory outline condition.
2. Submission of Reserved Matters – Appearance, landscaping, layout, scale.
3. Development in accordance with approved plans.
4. Use of development limited to B8 (storage and distribution) only, with ancillary office accommodation and dedicated training facility (Use Class F1).
5. Phasing strategy, including details and timescale for the provision of primary infrastructure to be submitted and agreed.
6. Details including timescale for the provision of development-related footways/cycleways to be submitted and agreed.

7. Design code for buildings, spaces, roads, footways/cycleways, street furniture and landscaping to be submitted and agreed.
8. Details/statement demonstrating compliance with the Design Code to accompany each Reserved Matters application.
9. Details to demonstrate how buildings will be designed and delivered to Building Research Establishment Environmental Assessment Methodology (BREEAM) certification 'excellent', to be submitted and agreed.
10. Construction Method Statement to be submitted and agreed.
11. Details of an external lighting strategy, including details of external lighting associated with any loading bays, to be submitted and agreed.
12. Details of finished floor levels to be submitted and agreed.
13. Details of external materials to be submitted and agreed.
14. Details of security fences prior to be submitted and agreed.
15. Details of gatehouses to be submitted and agreed.
16. Details of location and material finishes for sprinkler tanks to be submitted and agreed.
17. Details of CCTV to be submitted and agreed.
18. Details of any extraction equipment to be submitted and agreed.
19. Details of any plant, machinery or equipment to be submitted and agreed.
20. Details of any solar photo-voltaic panels prior to be submitted and agreed.
21. Details of seating, interpretation boards and wayfinding along the route of the Fosse Way Roman Road shall be submitted and agreed.
22. Removal of permitted development rights to warehouse for future conversion to residential dwellings.
23. Removal of permitted development rights to ancillary offices for future conversion to residential dwellings.
24. Details of the site boundary treatments adjacent to the M1 Motorway to be submitted and agreed.
25. Details of the external lighting and building signage installation and any other details of any building frontages, design and illumination that overlook the motorway to be submitted and agreed.
26. Scheme for a footway and cycleway scheme from the footway of Barr Close to the Leicester Lane/B4114 junction, including crossing provision across the Park and Ride access junction to be submitted and agreed.
27. Scheme of capacity enhancements at the A563/Meridian South roundabout to be submitted and agreed.
28. Scheme for the treatment of Public Rights of Way to be submitted and agreed.
29. Scheme of capacity enhancements at the A563/Meridian South roundabout;
30. Construction Traffic Management Plan to be submitted and agreed.
31. Prior to first use of the development, the site access to be delivered in accordance with approved details.
32. Prior to first use of the development, details of an updated site-wide Framework Travel Plan shall be submitted to and agreed.
33. Prior to first use of the development, details of a site-wide Public Transport Strategy shall be submitted to and agreed.
34. All details of the proposed development shall comply with the design standards of Leicestershire County Council as contained in its current design standards document.
35. Details of a surface water drainage scheme to be submitted and agreed.

36. Details in relation to the management of surface water on the site during construction to be submitted and agreed.
37. Details in relation to a long-term maintenance of the surface water drainage system within the site to be submitted and agreed.
38. Details in relation to results or evidence of infiltration testing (or suitable evidence to preclude testing) to be submitted and agreed.
39. Details of foul water drainage to be submitted and agreed.
40. Programme of archaeological work to be undertaken in accordance with a Written Scheme of Investigation to be submitted and approved.
41. Details of updated protected species surveys (badgers, bats, birds, reptiles and amphibians) including habitat mitigation plans to be submitted and approved.
42. Construction Environment Management Plan (CEMP) to be submitted and agreed.
43. Details providing an updated Biodiversity Net Gain metric to be submitted and approved to demonstrate that BNG is still achievable on site.
44. Details of a 30-year Landscape and Ecological Management Plan (LEMP) to be submitted and agreed.
45. Details for wider on-site ecological mitigation and enhancements to be submitted and agreed.
46. Removal of vegetation outside of bird nesting season (March to August inclusive).
47. All boundary hedges (including those within the site) to be retained shall have a 5 metre buffer zone.
48. All landscape planting within the buffer woodland planting areas, frontage landscaping and areas adjacent to the site boundaries shall be of locally native species only.
49. Light spill onto retained hedgerows to be minimised to a value of 1lux or lower at the edge of habitats.
50. Schedule for the implementation of approved landscaping to be submitted and agreed.
51. Landscaping scheme to be implemented.
52. Details of methodology for dealing with unexpected contamination to be submitted and agreed.
53. Details of scheme for gas pipeline diversion to be submitted and agreed.
54. Details of a scheme for monitoring noise during construction and early operational phases of the development to be submitted and agreed. The details shall include requirements for additional mitigation and further monitoring to validate the effectiveness of the further mitigation.
55. As part of each phase or Reserved Matters, details of a scheme for mitigating air quality associated with each construction and operational phases of development, including a mechanism for validation of any subsequent additional mitigation, shall be submitted and agreed.
56. As part of each phase or Reserved Matters, details of a scheme for mitigating noise and vibration for each construction and operational phases of development including a mechanism for validation of any subsequent additional mitigation, shall be submitted and agreed.

NOTES TO COMMITTEE

Relevant Planning Policy & Legislation

Blaby District Local Plan (Core Strategy) Development Plan Document (February 2013)

Policy CS1 – Strategy for Locating New Development
Policy CS2 – Design of New Development
Policy CS6 – Employment
Policy CS10 – Transport Infrastructure
Policy CS11 – Infrastructure, Services and Facilities to Support Growth
Policy CS12 – Planning Obligations and Developer Contributions
Policy CS14 – Green Infrastructure
Policy CS19 – Bio-diversity and Geo-diversity
Policy CS20 – Historic Environment and Culture
Policy CS21 – Climate Change
Policy CS22 – Flood Risk Management
Policy CS24 – Presumption in Favour of Sustainable Development

Blaby District Local Plan Delivery DPD (2019)

Policy SA3 – Employment Site Allocation
Policy DM1 – Development within the Settlement Boundaries
Policy DM4 – Connection to Digital Infrastructure
Policy DM7 – Road Related Facilities for HGVs
Policy DM8 – Local Parking & Highway Design Standards
Policy DM12 – Designated and Non-Designated Heritage Assets
Policy DM14 – Hazardous Sites and Installations

Planning (Listed Buildings and Conservation Areas) Act 1990

National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

Leicestershire Highways Design Guidance

Consultation Summary

Blaby District Council, Economic Development

February 2019 consultation: The proposal is supported by the Council's Economic Development Team, commenting that *"it is anticipated that this development site located adjacent to existing employment areas and uses, within a prime location with excellent connectivity on to J21/M1/M69 and onwards, will be an attractive market proposition. The Enderby Logistics Hub will contribute towards economic development and growth through direct sector job creation and indirectly through the supply chain as well as delivering necessary benefit in skills development. The proposal would help to meet the residual requirement for approximately 25 hectares of employment land within the District of Blaby."*

February 2023 consultation: No comments received.

Blaby District Council, Environmental Services

February 2019 consultation: No objections raised. Comments were made stating that the separation distances between the logistics buildings and the residential properties on Barr Close appeared to be reasonable, but that it would be preferable to change the orientation of the service yard to further reduce off-site impacts from the use of that area.

Comments were made asking for clarification in relation to the proposed uses on the site as certain documents indicated B8 (storage and distribution) with a D1 use building (education), with other documents making reference to B2 (general industrial).

The Senior Environmental Health Officer commented that the noise and air quality impacts during the construction phase of an approved development would normally be included in a submitted Construction Management Plan, and that the mitigation measures outlined in the submitted Environmental Statement would be useful in drafting such a Plan.

In addition, the Senior Environmental Health Officer commented that consideration should be given to noise monitoring by the applicant at certain receptor points during the construction and operational phases to assess the effectiveness of the control measures applied to each phase, with provisions for the drawing up and implementation of a plan of remedial action in the event that the monitoring fails to demonstrate that those control measures have been effective.

They also stated that in the relevant chapter regarding noise in the Environmental Statement, the document refers to a BS4142 (noise) assessment where there is no detailed methodology. There would be an expectancy for a noise assessment to list a number of mitigation measures, which could include design noise limits for the interior of buildings, or fixed plant, together with recommended measures to implement the assumptions made in the noise modelling. The assessment was revised to provide a list of mitigation recommendations which are outlined later in the report.

No specific conditions have been requested, with the exception that mitigation measures for noise during the construction phases to be implemented in full following the submission and agreement of an approved Construction Management Plan, along with noise monitoring during both the construction and operational phases.

To mitigate the impacts regarding air quality, a developer contribution of £65,000 has been requested to secure replacement equipment and long-term monitoring and management at Air Quality Management Station 2 (M1 corridor in Enderby and Narborough).

February 2023 consultation: No objections to the proposed development, subject to the imposition of conditions to monitor and potentially further mitigate noise and disturbance during the construction phase and for the initial period when the development is in operation.

A financial contribution has been sought towards the monitoring of air quality, including a requirement for a scheme of mitigation to be submitted with any subsequent Reserved Matters, together with a mechanism for requiring further mitigation should monitoring indicate that any agreed level of negative air quality impact is exceeded.

Blaby District Council, Neighbourhood Services

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Braunstone Town Council

February 2019 consultation: "Braunstone Town Council recommends that any approval be subject to the following conditions:

a) prior to commencement of any work, a detailed construction plan must be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, trees and water courses;

b) no construction work to be undertaken on the site until the proposed new road (application 19/0179/FUL & 19/0180/RM) and junction improvements (application 19/0178/FUL) had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a 'B' road set out in the Leicestershire Highway Design Guide;

c) no construction work to be undertaken until an application had been submitted to and discharged by the Local Planning Authority setting out how the development would meet the requirements as set out in the Site Allocations Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019; and,

d) the proposed units on the site must not be operational until the improvements to the junctions on Leicester Lane and St Johns and the site road layout, as set out in the submitted plans, had been approved, constructed and completed and confirmation received from the Local Highways Authority that these met the relevant standards set out in the Leicestershire Highway Design Guide.

February 2023 consultation: "Braunstone Town Council recommends that any approval be subject to the following conditions:

a) prior to commencement of any work, a detailed construction plan must be submitted and approved by the Local Planning Authority setting out the method of construction and including details of a construction traffic route, an environmental and noise impact assessment, mitigating measures and measures to protect wildlife habitats, trees and water courses;

b) no construction work to be undertaken on the site until the proposed new road (application 19/0179/FUL & 19/0180/RM) and junction improvements (application 19/0178/FUL) had been approved, constructed and completed and confirmation received from the Local Highways Authority that the junction and new road met the relevant standards for a 'B' road set out in the Leicestershire Highway Design Guide;

c) no construction work to be undertaken until an application had been submitted to and discharged by the Local Planning Authority setting out how the development would meet the requirements as set out in the Site Allocations Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, adopted February 2019; and,

d) the proposed units on the site must not be operational until the improvements to the junctions on Leicester Lane and St Johns and the site road layout, as set out in the submitted plans, had been approved, constructed and completed and confirmation received from the Local Highways Authority that these met the relevant standards set out in the Leicestershire Highway Design Guide.

Cadent Gas

February 2019: No objections raised but have advised that operational gas apparatus within the application site boundary has been identified. This may include a legal interest (easements or wayleaves) in the land which restricts activity in proximity to Cadent assets in private land. Cadent have advised the following:

"The Applicant must ensure that proposed works do not infringe on Cadent's legal rights and any details of such restrictions should be obtained from the landowner in the first instance. If buildings or structures are proposed directly above the gas apparatus then development should only take place following a diversion of this apparatus. The Applicant should contact Cadent's Plant Protection Team at the earliest opportunity to discuss proposed diversions of apparatus to avoid any unnecessary delays.

If any construction traffic is likely to cross a Cadent pipeline then the Applicant must contact Cadent's Plant Protection Team to see if any protection measures are required."

February 2023: No change since the previous comments made in February 2019.

Central networks

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Enderby Parish Council

February 2019 consultation: "Enderby Parish Council notes that the proposed Employment site when viewed with the proposed changes to the junction and development of the new road fulfil the criteria of Policy SA3 of the District Local Plan.

However, the Council would strongly object to the Proposed development without advance introduction of the proposed junction improvements and new road proposals due to the increase in the volume of traffic which would pass through Enderby via the B582, which is an already busy arterial route. Enderby Parish Council would therefore make the following observations in respect of Planning Application 19/0164/OUT: -

1. *That junction improvements detailed under Planning Application 19/0178/FUL, the new public road detailed under Planning Application 19/0179/FUL and the construction of a new public road and roundabout under Planning Application 19/0180/RM be constructed in advance of the proposed Employment Site in line with the Blaby District Local Plan Local Plan (Delivery) DPD Policy DM3 d) adopted by Blaby District Council February 2019 which states that Employment Development is to "avoid an increase in traffic generation that would result in severe harm to the local road network".*

The Council recognises that the above improvements are supported by the Enderby Parish Plan and that the introduction of the Bypass will alleviate traffic congestion in Enderby if additional safeguards are put in place to introduce a 7.5 tonne weight restriction.

Blaby District Local Plan Delivery DPD Pt. 3.33 highlights the importance of the detailed design and siting of the Employment site and that this should not adversely affect recognised environmental, social or economic matters. Therefore, particular attention to its impact, especially the development on the line of the Fosse Way Roman Road (a non-designated heritage asset) should be sympathetic to the area and proportionate to the need for employment so as not to result in unacceptable adverse impacts on the landscape or residential amenity. This is particularly important with "high bay" warehouse buildings.

2. *That a robust Traffic Management Plan be put in place in advance of the commencement of the development of the Employment site to mitigate the increased volume of traffic movements visiting the site from the direction of Junction 21 of the M1 and Fosse Park and that appropriate transport infrastructure improvements be introduced which will mitigate the impact of the proposed development on the local and wider road network in compliance with Policy SA3 b) and c) of the Local Development Plan.*

3. *Enderby Parish Council seeks a Construction Method Statement to be produced in advance of the proposed phasing of the development, which shall include the following:*
   a) the parking of vehicles of site operatives and visitors;
   b) loading and unloading of plant and materials;
   c) storage of plant and materials used in constructing the development;
   d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
   e) wheel washing facilities;
   f) measures to control the emission of dust and dirt during construction;
   g) a scheme for recycling/disposing of waste resulting from construction works;
   h) measures for the protection of the natural environment;
   i) hours of construction work, including deliveries; and

j) measures to control the hours of use and piling technique to be employed
k) measures to control and minimise noise from plant and machinery
This is to be submitted to, and approved in writing, by the Blaby District Council Local Planning Authority. The approved statement shall be adhered to throughout the construction period and verified where appropriate."

February 2023 consultation: "Enderby Parish Council notes the proposed Employment site when viewed with the proposed changes to the junction and development of the new road fulfil the criteria of Policy SA3 of the District Local Plan. However, the Enderby Parish Council does not recognise there to be a need for additional warehousing. Enderby Parish Council would strongly object to the proposed development without advance introduction of the proposed junction improvements and new Enderby Relief Road proposals due to the increase in the volume of traffic which would pass through Enderby via the B582, which is an already busy arterial route. Enderby Parish Council would therefore make the following observations in respect of Planning Application 19/0164/OUT: -

1. *That junction improvements detailed under Planning Application 19/0178/FUL, the new public road detailed under Planning Application 19/0179/FUL and the construction of a new public road and roundabout under Planning Application 19/0180/RM be constructed in advance of the proposed Employment Site in line with the Blaby District Local Plan Local Plan (Delivery) DPD Policy DM3 d) adopted by Blaby District Council February 2019 which states that Employment Development is to "avoid an increase in traffic generation that would result in severe harm to the local road network".*

The Council recognises that the above improvements are supported by the Enderby Parish Plan and that the introduction of the Enderby Relief Road will alleviate traffic congestion in Enderby if additional safeguards are put in place to introduce a 7.5 tonne weight restriction.

The Blaby District Local Plan Delivery DPD Pt. 3.33 highlights the importance of the detailed design and siting of the Employment site and that this should not adversely affect recognised environmental, social or economic matters. Therefore, particular attention to its impact, especially the development on the line of the Fosse Way Roman Road (a non-designated heritage asset) should be sympathetic to the area and proportionate to the need for employment so as not to result in unacceptable adverse impacts on the landscape or residential amenity. This is particularly important with 'high bay' warehouse buildings (described as their height to have eaves to 15m which would undoubtedly mean the roofline would finish considerably higher).

2. *That a robust Traffic Management Plan be put in place in advance of the commencement of the development of the Employment site to mitigate the increased volume of traffic movements visiting the site from the direction of Junction 21 of the M1 and Fosse Park and that appropriate transport infrastructure improvements be introduced which will mitigate the impact of the proposed development on the local and wider road network in compliance with Policy SA3 b) and c) of the Local Development Plan.*

3. *Enderby Parish Council seeks a Construction Method Statement to be produced in advance of the proposed phasing of the development, which shall include the following: -*
   a) the parking of vehicles of site operatives and visitors;
   b) loading and unloading of plant and materials;
   c) storage of plant and materials used in constructing the development;
   d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
   e) wheel washing facilities;
   f) measures to control the emission of dust and dirt during construction;
   g) a scheme for recycling/disposing of waste resulting from construction works;
   h) measures for the protection of the natural environment;
   i) hours of construction work, including deliveries; and
   j) measures to control the hours of use and piling technique to be employed
   k) measures to control and minimise noise from plant and machinery.
   This is to be submitted to, and approved in writing, by the Blaby District Council Local Planning Authority. The approved statement shall be adhered to throughout the construction period and verified where appropriate.
   Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

Development within the Settlement Boundaries

Enderby Parish Council would make the following observations to support the extreme local opposition of residents to this development. Residents do not wish this to be approved as they do not feel jobs will be created for local people and are fearful of losing their Village's identity with the proposed reduced separation between residential areas and built-up commercial areas in Enderby resulting in the loss of settlement boundary which will be harmful to the Enderby Parish.

It is the District Council's Strategic objective Blaby District Local Plan (DM1 (vi) (v) (xii) to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and to preserve and enhance cultural heritage in recognition of is contribution to local distinctiveness and to seek design solutions which preserve and enhance heritage assets where they are impacted by development. In addition, to prevent expansion where this will result in an unacceptable impact.

Location

It is not felt this development will have a satisfactory relationship with nearby uses and that this would be significantly detrimental to the amenities enjoyed by existing residents when considerations of light, noise, disturbance and overbearing effect, vibrations, emissions, hours of working and vehicular activity are assessed.

The District Council's Policy DM12 supports the preservation and enhancement of the District's heritage in recognition of its contribution to local distinctiveness and works to

preserve and enhance heritage assets where they are impacted by development. The development land is a historical public right of way, the old Fosse Way Roman Road, which is an important non-designated heritage asset and there are concerns regarding the scale of development which outweigh the benefit of the proposal. This land has long been used as farming land which helps to maintain the village's identity and should be protected as this remains the only green field separating the Village from the already existing commercial units on Grove Park, Leicester Lane and Fosse Park.

Residential Amenity

The proposals may impact upon the residential amenities of the adjacent/nearby properties at St Johns by reason of overlooking and loss of privacy, loss of light and the development being overbearing in nature.

Little consideration has been given to the impact on existing residential areas surrounding the development, especially to the existing settlement of Blaby Road and in particular residents of Barr Close, Thomas Close, Peters Close. With the proposed site being operational 24 hours a day 7 days a week there will be an increase in vehicular movements within the site causing increased noise and light pollution. It is felt that no amount of sound proofing and screening will mitigate the scale and mass and positioning of the warehousing which is deemed unsympathetic to bordering residents and Enderby Parish as a whole.

Enderby has sufficient commercial development and it already offers plenty of employment opportunities with the extension of Fosse Park, the new Everards Meadows development and Castle Acres along with the nearby New Lubbesthorpe Strategic Employment Site within a short distance. Everards Meadows has also been granted planning permission for a Hotel to be built with office space. There is also Grove Park, Warren Park Way Industrial Estate, Granite Way Industrial Estate, and NEXT's Head office within close proximity. Enderby has more commercial development and employment opportunities than most areas within Blaby District when combined.

Light Pollution & Privacy

It is also extremely important that considerations of light pollution and loss of privacy to residents be considered. The NPPF encourages good design to limit the impact of light pollution particularly in dark landscapes and the natural habitat. This development will prevent residents' enjoyment of the night sky.

Noise/Vibration

Blaby District Council's Environmental Health Officer has raised queries in respect of the proposed development and it is unclear as to whether these matters have been addressed and it is felt noise and vibration would be an issue should the site begin operation. The operational times of the site may cause noise issues for local residents if allowed to be operational during unsociable hours.

Land Contamination and Pollution

The District Council seeks to minimise the risk of flooding (and other hazards) to property, infrastructure and people as such adverse impacts do need to be significantly mitigated.

Pollution & Air Quality

Air Quality Management in Enderby and Narborough (M1 corridor) has shown no change in levels recorded by diffusion tube monitoring, however Continuous Monitor 1 (CM1) located north of the boundary has shown an elevated value in comparison to 2020 yet remains below the national objective. The monitoring also occurred during the height of the Covid pandemic and does not therefore accurately reflect the traffic movements as they are now returning to their pre-pandemic state. Additional air quality monitoring is essential as this is likely to increase should the development be built.

Loss of this green land would be detrimental to the environment as this mitigates existing air pollution along the M1 Corridor.

There are significant issues with air quality in Enderby (AQMA6, B582 on Mill Hill, Enderby). There remain significant concerns regarding pollution in respect of residents' health and the natural environment without the Enderby Relief Road it is felt there is no mitigation.

Wildlife & Ecology & Biodiversity

Blaby District Council's Ecologist within their consultation response dated 27th May 2019 raised an objection. A request was made for updated survey information in respect of badgers. In addition, the proposed development will endanger the habitats of many different species of wildlife including badgers (where there have been local sightings), bats, rabbits and a variety of birds.

Employment Site - Overdevelopment of the Area

Everards has permission to build a hotel and offices. The ever-expanding Lubbesthorpe development. New houses within existing St Johns. Already expanded Fosse Park (which has its own problems with the car park exit format). Already approved commercial developments include Fosse Park, Everards, Carlton Park, Grove Park, Warren Park Way, Meridian, Whetstone and Next. There are also commercial warehouses on Leicester Road, next to Palmers Garden Centre.

Magna Park is expanding on a regular basis and can facilitate more companies in the warehouses being built. This does not need to expand to Enderby.

Enderby has a very low unemployment level and is in particular lower than the national average.

Training Centre

Enderby already has an Adult Education Centre [Adult Learning Centre], two major hotels also have Conference Rooms for hire that can be used for training and it is likely

the new hotel on Everards will also have facilities that can be hired for such purposes. Therefore the need for an additional training centre is not proven.

Traffic Study

The traffic study undertaken during the pandemic does not give an accurate account of the regular traffic usage post pandemic. Leicester Lane is not wide enough for HGV vehicles to pass safely. The public footpath in parts is not wide enough due to overgrown vegetation and poor maintenance.

Highway Network Improvements to Mitigate Congestion - Enderby Relief Road – Imperative

Without the proposed Enderby Relief Road, there is no mitigation or consideration to the Village of Enderby which coincidentally is in a Conservation Area adjacent to a Heritage site which needs to be protected.

Leicester Lane is already overly congested especially at peak times. More traffic and especially HGV's would only exacerbate the situation.

The B4114 is regularly congested at peak times, both at the Foxhunter Roundabout and the Fosse Park junctions. Only recently an accident caused the closure of the M69 in both directions, forcing the traffic to redirect onto the B4114 and neighbouring villages leading to Enderby Village becoming gridlocked. The Foxhunter roundabout would not cope with the additional traffic movements.

However, a relief road will not necessarily make any difference to the HGVs heading towards A5/Hinckley therefore there will be additional traffic using the B4114. This is already a fast road which again is within a residential area with children walking to schools/colleges. A reduction in the speed limit on the B4114 should be considered to be reduced from 40mph to 30mph in consideration of pedestrians.

Consideration needs to be given to the impact on roads in surrounding villages when accidents occur on major routes with appropriate modelling.

Public Transport

The public bus service is not reliable or frequent enough to Enderby as it is, so it will not cope with additional users and the bus route currently does not include Grove Park. Enderby is at risk of less and less public transport. Issuing bus passes to employees will not therefore mitigate the issue of increased traffic movements to and from the site.

Flood Risk

The land in question is routinely flooded and often referred to by residents as 'Enderby lake'. When flooding is particularly bad this floods Leicester Lane especially under the motorway bridge leaving the road impassable. The proposed entrance/exit on Leicester Lane is susceptible to regular flooding.

If retention ponds are proposed to run parallel against B4114 like the one on Enderby Road next to the river, this is likely to overflow and flood the surrounding area including the B4114. The water does not drain away due to the nature of the ground in this area.

This land already performs as an area for carbon storage due to its close proximity with the M1, it acts as flood risk mitigation, as a habitat for wildlife and is used by dog walkers for recreation which is supported by the aims of the National Planning Policy Framework (NPPF) (pt.11)."

Environment Agency:

February 2019 consultation: No objection to the proposed development but has made comments on the following matters.

"Gas – To the north of the proposed development is the British Gas Distribution Centre. This site has an Environmental Permit which was required under the Environmental Permitting (E&W)(amendment) 2018 Regulations. The permit authorises the generation of electricity in the event of an interruption of the electricity supply to the site and is permitted to operate for <500hr per annum. The permit only regulates the amount of emissions of NOx to air and air quality modelling was submitted as part of the permit application. We would not consider the installation to significantly impact the proposed development or vice versa given the small scale of the activities.

Flood Risk – From a flood risk perspective, the development falls within our flood risk standing advice (FRSA). It is recommended that the Lead Local Flood Authority should be consulted on the proposals for their requirements regarding the disposal of surface water arising from the development."

February 2023 consultation: No change from 2019 consultation.

Glen Parva Parish Council

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Health and Safety Executive:

February 2019 consultation: No objection raised as the site does not lie within the consultation distance of a major hazard site or major accident hazard pipeline.

February 2023 consultation: No comments received.

Historic England

February 2019 consultation: Historic England notes that the application site includes the remains of a section of the Roman Fosse Way, the principle road running from the south-west to north-east within the province, and the initial post-invasion frontier. The approach of the Fosse Way towards Roman Leicester (*Ratae*) contributes to the legibility of the Roman city and its nationally important remains in their landscape

context. Historic England also consider that any loss of legibility of the Foss Way would therefore harm the significance that both undesignated and designated Roman remains in Leicester derive from their wider setting.

In their response, Historic England acknowledges the extensive assessment conducted as part of the Environmental Impact Assessment process and the sympathetic indicative design of the development proposal, which respects the line of the Fosse Way and will preserve it under a 20 metre wide green corridor. Historic England state that they are pleased to note that the design team have engaged with their initial concerns to deliver an appropriate solution, and as such, has no objection to the proposed development in principle.

February 2023 consultation: No further comments made.

Leicestershire Archaeological and Historical Society

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Leicester City Council

February 2019 consultation: Does not object to the proposed development.

February 2023 consultation: No comments received.

Leicester, Leicestershire Enterprise Partnership

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Leicestershire County Council, Archaeology

February 2019 consultation: Advised that the application site falls within an area of potentially significant archaeology including a Roman site (HER Ref : MLE101) and an area of Roman features (HER Ref: MLE23469), an Iron age site (HER Ref : MLE99) and an area of Iron Age features (HER Ref : MLE23469), together with a series of Medieval finds (HER Ref : MLE6624). On this basis, it is considered that the development proposals include works (e.g. foundations, services and landscaping) that are likely to impact upon those remains.

Whilst no objections have been raised in relation to the proposed development, the imposition of a condition for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording are required, informed by a suitable Written Scheme of Investigation (WSI) for both phases of archaeological investigation from an organisation acceptable to the planning authority.

February 2023 consultation: No objections raised.

Upon review of the Addendum to the Environmental Statement, the County Council's Planning Archaeologist has advised that no further trial trenching on the site is required and the previously requested condition is revised, now only requiring the submission of a Written Scheme of Investigation (WSI), which shall include a statement of significance and research objectives, along with a programme and methodology of site investigation and recording, and a programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. The WSI shall also include the nomination of a competent person(s) or organisation to undertake the agreed works.

Leicestershire County Council, Ecology

February 2019 consultation: The Ecological assessment was considered to be satisfactory overall and demonstrated that no evidence of notable species was found and the quality of habitats were considered to be sub-optimal or low potential to support protected species. However, due to the surveys for badgers being heavily redacted, a holding objection was initially issued until an updated badger survey was submitted to clarify the presence or otherwise of badgers on the site. Following the submission of this survey, the County Ecologists confirmed their satisfaction that the proposed development would not have an unacceptable impact on badgers. On this basis, the County Ecologist's holding objection was withdrawn.

In addition, the indicative Masterplan indicates sufficient buffers between the development and the hedgerow boundaries, with the retention of habitat along the boundaries and areas of habitat creation welcomed.

Comments were made on the need to minimise light overspill onto retained hedgerows as these provide foraging habitats for bats.

Concerning the loss of on-site hedgerows, County Ecology acknowledge that these hedgerows do not qualify as 'important' under the Hedgerow Regulations 1997, but they do contain a range of species and are a valuable habitat, therefore the planting of locally native species should be incorporated to compensate for their loss.

Conditions were requested by County Ecology to be imposed in the event of permission being granted in respect of the following matters:

1. Removal of vegetation outside the bird nesting season (March - August inclusive) or within 24 hours of the 'all-clear' from a suitably qualified ecologist;

2. All landscape planting within the buffer woodland planting, frontage landscape and in areas adjacent to the site boundaries to be of locally native species only;
3. All boundary hedges to be retained with at least a 5m buffer zones of open space/natural vegetation alongside; short sections to facilitate access are acceptable;
4. Light spill onto retained hedgerows to be minimised to a value of 1lux or lower at the edge of the habitats, to maintain their value at bat foraging corridors.
5. Submission of an updated badger survey prior to the commencement of development.

February 2023 consultation: The Addendum to the initial Environmental Statement included updated ecological surveys in respect of protected and non-protected species, loss of habitats and proposed mitigation measures. In response to the Addendum, comments were received from consultants working on behalf of Leicestershire County Council's Planning Ecologists.

These comments accepted the findings of the updated surveys and recommended the addition of two additional conditions to the five requested during the 2019 consultation exercise. These conditions include the following:

1. The submission of a Construction Environment Management Plan (CEMP); and,
2. The submission of a scheme that includes compensation and enhancement measures for habitats lost resulting from the proposed development.

In addition, it was noted that no assessment had been undertaken in relation to Biodiversity Net Gain (BNG). Since the original consultation response, the introduction of the Environment Act, which came into force on 9th November 2021, required all developments subject to the Town and Country Planning Act to provide at least 10% biodiversity net gain, as calculated using a Biodiversity Metric and Biodiversity Gain Plan, with habitat used for net gain to be secured for a minimum of 30 years. Members should note however, that at the time of writing this Report, that part of the Environment Act relating to BNG has not yet being formally enacted, but it will come into force in November of this year.

At the time of those comments being made, the County Ecologists confirmed that whilst BNG was not yet a legal requirement, Leicestershire County Council currently has a *"a no net loss and a demonstrable net gain policy"* in place. On this basis, a holding objection was issued along with a request to delay the determination of the application until a measurable BNG assessment demonstrating no biodiversity net loss/measurable net gain and the provision of protected species surveys using the Department for the Environment, Food and Rural Affairs (DEFRA) 3.1 (or later) Metric was submitted and assessed.

June 2023 – Final Resolution: Following the submission of a BNG assessment in accordance with the County Ecologists request, confirmation was received from the County Council's Ecology Consultants that the conclusions of the BNG assessment were satisfactory, stating that BNG is achievable on site in relation to the proposed development.

In addition to the five conditions listed in the 2019 consultation response as well as the additional two conditions from the earlier 2023 consultation response, three additional conditions in relation to the following were requested to be imposed as part of any later Reserved Matters application:

1. The submission of a further BNG metric to demonstrate that BNG is still achievable on site as the final design proposals are determined;
2. The submission of a 30-year Landscape and Ecological Management Plan (LEMP) to demonstrate how the net gain will be achieved; and,

3. Submission of details for wider on-site ecological mitigation and enhancements, including the removal and control of Japanese knotweed and the installation of bat and bird boxes on retained trees.

Leicestershire County Council, Footpaths

February 2019 consultation: No objection raised as the proposed development should not affect the Public's use and enjoyment of the Right of Way; however the following Conditions should be imposed:

1. No development shall commence on site until a Footpath management plan has been submitted to and approved in writing by the Local Planning Authority. Such a plan shall include details of temporary diversion, fencing, surfacing, signing and a timetable for provision.
2. The Public Footpath W16a should comprise of a 3 metre wide tarmacadam surface with a 1 metre verge on either side from Blaby Road throughout the development in accordance with the County Council's Guidance Notes for Developers.
3. No trees or shrubs should be planted within 1 metre of the edge of the Public Rights of Way. Any trees or shrubs planted alongside a Public Right of Way should be non-invasive species.
4. Prior to construction, changes to existing boundary treatments running alongside the Public Rights of Way, must be approved by the Local Planning Authority following consultation with the Highway Authority.
5. Prior to the completion of the development, a signing, waymarking and access furniture scheme in respect of the Public Right of Way, should be formulated by the developer and approved by the Local Planning Authority following consultation with the Highway Authority.

The Footpaths and Rights of Way Officer has also requested the following developer contributions:

"To comply with Government guidance in the NPPF, the CIL Regulations 2011, and the County Council's Local Transport Plan 3, the following contribution would be required in the interests of encouraging sustainable travel to and from the site, achieving modal shift targets, and reducing car use:

To provide improvements including signing, access furniture, and a tarmacadam surface 3m wide to the continuation of Footpath W16a from the development site north to Leicester Lane."

Leicestershire County Council, Forestry

February 2019 consultation: No objection raised on the basis that the site comprises mainly large open agricultural fields where there are few arboricultural implications with the proposal, with the main changes consisting of the removal of sections of internal and boundary hedgerows.

The County Forestry Officer also commented that there would be a small number of trees that would need to be removed which are located within the highway boundary,

which is under the responsibility of the County Council as the County Highway Authority. The County Forestry Officer has advised that Leicestershire County Council will require compensation for the loss of these assets based on their amenity value, calculated by a recognised method such as CAVAT.

February 2023 consultation: No objections raised but recommended that the existing tree survey document should be updated. However, comments made to state that based on the proposed Masterplan, the Addendum would have little impact on the tree resource as the majority are situated on or outside of the application site boundary and could be retained with appropriate protection methodologies as outlined in the Addendum to the Environmental Statement.

Leicestershire County Council, Highways

February 2019 consultation: Advised that the Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required.

The County Highway Authority requested further information, commenting that to enable a comprehensive review of the impact of the development on the local highway network and the likely required off site highway works to mitigate the impacts of the development, the additional information/ assessments as detailed below should be carried out:

1. *"The assumptions within the submitted Transport Assessment relies on the proposed Enderby Relief Road (ERR) being fully built and in use by 2021. Therefore, assurances and clarity are needed regarding the ERR being delivered prior to the proposal being in full use. If confirmation is not possible, the information contained within the Transport Assessment will need to be reviewed along with a sensitivity check to determine the impacts of the proposed development on the local highway network.*

2. *Further details on the submitted access drawing for Smith Way/Leicester Lane junctions will be required in terms of phasing to improve junction capacity, predicted pedestrian/cycle crossing numbers, details of tactile paving, MOVA detection, ducts, guard rails, poles and type of signal equipment.*
3. *Design the St Johns (B4114) access a major residential access road and provide pedestrian connectivity between the site access towards the Foxhunter roundabout and Enderby.*
4. *Review the junction capacity assessments in respect of the Everards roundabout, the Foxhunter roundabout, St Johns/Police HQ, Osiers Bridge and M1 Junction 21."*

March 2021 consultation: Advised that the Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required.

In providing their response, the County Highway Authority reviewed the submitted Transport Assessment and stated that there had been no strategic modelling

undertaken to support the need or otherwise for an Enderby Relief Road to mitigate the potential impacts of the proposed logistics development.

Concerns were also raised regarding the approach of linking the proposed logistics development and the Enderby Relief Road, including the reason for submitting these as separate applications. The County Highway Authority raised that this approach presented concerns over how the logistics development and Enderby Relief Road applications will ultimately be delivered and the extent to which the Enderby Relief Road can be relied upon and obligated as part of the offsite mitigation strategy for the logistics development. Confirmation concerning the mechanism for securing the delivery of the Enderby Relief Road was requested.

Concerns were also raised regarding the principle of introducing a second point of access onto the B4114, stating that the introduction of this access conflicts with Policy IN5 of the Leicestershire Highway Design Guide, raising unnecessary concerns over highway safety. Further concerns were raised regarding this second point of access and the opportunity for vehicles to “rat run” through the site on a congested part of the network. The County Highway Authority requested the applicant to remove the second point of access from the proposals.

Other concerns were raised regarding the age and relevance of the submitted data within the Transport Statement in terms of personal injury claims, trip generations, survey data and off-site implications. In its closing comments, the County Highway Authority states that:

“In summary and noting the significant time that has passed since the transport assessment was produced, the LHA would advise a comprehensive review and update to the transport assessment work be undertaken by the applicant. The LHA would welcome opportunity, along with other relevant stakeholders, to be engaged in the scoping of this work and strategic assessment prescribed by the Local Plan Policy which would appear to still be outstanding. Without this information and assessment the Local Highway Authority would be unable to provide final, positive, highway advice on this application.”

December 2022: Following the removal of the second point of access off St Johns (B4114) and a comprehensive assessment of the proposed development in Leicestershire County Council's Pan Regional Transport Model (PRTM), which excluded the proposed Enderby Relief Road as the committed infrastructure to mitigate the development, the County Highway Authority confirmed that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe, subject to the imposition of several highway related conditions and the applicant agreeing to enter into a Section 106 agreement to pay developer contributions.

The County Highway Authority recommends the imposition of 8 conditions, relating to the following:

1. Access to be implemented in full prior to first use of the development;

2. Scheme for a footway and cycleway scheme from the footway of Barr Close to the Leicester Lane/B4114 junction, including crossing provision across the Park and Ride access junction;
3. Scheme of capacity enhancements at the A563/Meridian South roundabout;
4. Agreement of amended Framework Travel Plan;
5. Scheme for the treatment of Public Rights of Way;
6. Submission of a Public Transport Strategy;
7. Compliance with Leicestershire Highways Design Standards;
8. Submission of a Construction Traffic Management Plan.

Contributions are also being sought for the following:

1. Lubbesthorpe Way widening scheme – £6,700,000;
2. Upgrades to the B4114/Park and Ride and B4114/Penman Way signal to MOVA signal operation – £121,800;
3. Desford Crossroads improvement scheme - £263,498;
4. Travel Packs for all new employees, one per employee – £52.85 per pack;
5. 6 month bus passes, one per employee – £360.00 per pass.

February 2023 consultation: No changes proposed to the previous response in December 2022 consultation.

Leicestershire County Council, Historic Buildings Officer:

February 2019 consultation: No objection raised due to the presence of the physical barrier of the M1 motorway and prevailing form of development near to the application site.

February 2023 consultation: No further consultation sent as the historic buildings advice service has now been moved in-house to the District Council.

Leicestershire County Council, Lead Local Flood Authority

February 2019 consultation: No objections have been raised regarding flood risk as the site is located within Flood Zone 1 and is therefore at low risk of fluvial flooding and the majority of the site being at low risk of surface water flooding, with only some small parts to the north and east determined to be at high and medium risk.

The Lead Local Flood Authority has advised the District Planning Authority that the proposed development is considered to be acceptable, subject to the imposition of several drainage conditions regarding:

1. The submission of a surface water drainage scheme;
2. The submission of details in relation to the management of surface water on the site during the construction period;
3. The submission of details in relation to a long-term maintenance of the surface water drainage system within the development; and,
4. The submission of a suitable assessment of surface water flood risk to demonstrate the extent of surface water flooding on-site pre and post-

development in order to inform the suitability of the site layout and the diverted watercourse.

February 2023 consultation: Subsequent to the previous LLFA response from 2019, changes to the initially submitted proposal have necessitated the requirement for the applicant to submit additional information in the form of an Addendum to the original Environmental Statement. This includes a reissued Flood Risk Assessment (FRA). However, this FRA does not change the principles of the drainage strategy, as above.

The LLFA does not object to the proposed development in its revised form and has recommended a similar response to the last response, albeit with alterations to the previously advised conditions, which have been updated to take account of the information provided in the Addendum to the Environmental Statement. The wording of the updated recommended conditions are set out below:

1. The submission of a surface water drainage scheme;
2. The submission of details in relation to the management of surface water on the site during the construction period;
3. The submission of details in relation to a long-term maintenance of the surface water drainage system within the development; and,
4. The submission of a results or evidence of infiltration testing (or suitable evidence to preclude testing) to confirm or otherwise, the suitability of the site for the use of infiltration as a drainage element.

Leicestershire County Council, Planning, Minerals and Waste Management

February 2019 consultation: No objection raised.

February 2023 consultation: No objection raised.

Leicestershire Fire & Rescue Service

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Leicestershire Police

February 2019 consultation: No objection to the proposed development. Comments made in relation to the lighting of buildings, provision of CCTV and ANPR (automatic number plate recognition), appropriate access control at the two proposed entry points, the use of perimeter fencing, ground-level stonework and foliage to deter entry and maintain clear visibility, including the incorporation of security systems in accordance with "BS 6375 – Security Locking and Fire Security, BS EN 50486 – Audio and Video Door Entry Systems, BS7958 – Closed Circuit Television (CCTV), Management and Operation of Code of Practice, BS6799 – Code of Practice for Wire-free Intruder Alarm Systems and BS EN 50131 – Alarm Systems. Intrusion and Hold-up Systems.

A list of general recommendations were provided for consideration and the ones relevant to commercial developments are included below:

1. Street lighting columns to BS 5489 are recommended.
2. Appropriate fencing should be used to enclose the perimeter and is recommended to be 1.8m in height. This can be via planting or manufactured fencing.
3. Key access points leading into the development should be considered for CCTV coverage supported by lighting to allow identification during day and night. This would allow vehicle and facial recognition in key areas. Appropriate signage should be in place to be compliant with the Data Protection Act.
4. Lampposts at vehicle entry points recommended to have electrical spur to allow power supply for CCTV.
5. Natural surveillance should be possible via ground level foliage being trimmed to 1m high and trees to have no foliage lower than 2m from the ground to allow a clear field of vision.
6. Consideration of Secured by Design principles is recommended and information in respect to the different standards is available on request.
7. Opportunities to explore the potential for S106/CIL funding should be undertaken with relevant parties if appropriate.
8. Commercial sites may benefit from smoke cloaking devices to deter access and reduce potential loss.

February 2023 consultation: Similar comments made to the 2019 consultation response. Whilst not objecting to the principle of development, concerns have been raised by the Police following the removal of the second point of access off the B4114.

The Police considers that this change would have a detrimental and significant impact on Leicester Lane and would lead to the potential for congestion on the local highway network, as well as motorway traffic and access to the A563 Outer Ring Road to be exacerbated, due to the single-entry point for HGV traffic. In addition, concerns have been raised regarding access to traffic to the Leicestershire Police Force Headquarters, which would potentially be affected by congestion in this area.

Situation Resolution:

A letter was prepared by the applicant's Highways Consultants, addressed to the District Planning Authority, providing clarification regarding the design and planning rationale that informed the design proposals for the development and by way of addressing the concerns raised by Leicestershire Police. A face-to-face meeting was also offered to the Police in order to discuss their concerns

The letter provided clarification on the following specific matters:

B4114 access removal: The access onto B4114 was removed upon instruction from Leicestershire County Council Highways Department (LCC) as they advised that the provision of an access onto this type of road did not comply with their design policy IN5. Furthermore, the applicants were informed by LCC that they would not support a proposal to this allocated site, in any circumstance, with an access onto the B4114.

Traffic impact: Confirmation was provided that an analysis had been carried out based on the single point of access from Leicester Lane using Leicestershire County Council Pans Regional Transport Model, the results of which were agreed with both LCC and National Highways.

Using the data provided from the model a number of junctions within the surrounding area were assessed in detail using industry standard modelling software. From this analysis it demonstrated in the Updated Transport Assessment that the proposed access will operate within its design capacity.

In their review of the modelling work, LCC confirmed in their December 2022 consultation response that:

"*the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe."*

Confirmation was also given that LCC had advised that the development cannot commence until a scheme of pedestrian access and highway improvements has been submitted and approved by the Local Planning Authority that includes details of a footway/cycleway scheme on the B4114 including crossing provision across the Park and Ride access junction. This is to be secured via a suitably worded planning condition.

Wider traffic impact: Confirmation was provided regarding the wider highway impacts and the mitigation measures that were being secured through a Section 106 agreement, as set out in the LCC Highways resolution earlier in this report.

This letter was forwarded to Leicestershire Police, who confirmed via email that in their view, there was no requirement to discuss their concerns further as the letter had addressed them. The Police confirmed in their response to Blaby District Council that they considered the proposed package of mitigation to be *"modest"* but acceptable.

Lubbesthorpe Parish Council

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Narborough Parish Council:

February 2019 consultation: "I confirm that Narborough Parish Council has no objection to the above planning application on condition that works to construct the proposed Enderby Relief Road are completed before the proposed development is completed and operational."

February 2023 consultation: "I confirm that Narborough Parish Council has nothing further to add to its previous response, no objection in principle providing the infrastructure, including road improvements which are the subject of other applications, are completed before the site becomes operational."

National Grid:

February 2019 consultation: No objections raised but apparatus in the form of Low or Medium pressure (below 2 bar) gas pipes and associated equipment have been identified as being in the vicinity of the application site. National Grid also confirmed the following:

"As such it is highly likely that there are gas services and associated apparatus in the vicinity. A list of requirements have been issued to the applicant, which include:

- *Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.*
- *Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or wayleaves). If the works are in the road or footpath the relevant local authority should be contacted.*
- *Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 - 'Avoiding Danger from Underground Services' and GS6 – 'Avoidance of danger from overhead electric power lines'.*
- *In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on site before any activities are undertaken."*

February 20123 consultation: No comments received.

National Highways (formerly Highways England)

February 2019 consultation: Initially recommended that planning permission should not be granted for a specified period of time, until further information is provided in relation to trip generations, traffic distribution and assignment, LinSig modelling, safety in respect of impacts on the M1 motorway (fences, external lighting, signage and building frontages) and geotechnical details regarding the proposal's physical impacts on the existing M1 motorway embankment.

August 2019: Following ongoing discussions between National Highway's and the applicant, National Highways confirmed that following independent modelling checks to assess the impacts of the proposed development on the SRN (Strategic Road Network) in the area in line with Department for Transport's Circular 02/2013, it was determined that the proposed development is not expected to have a material impact on the operation of Junction 21 of the M1 motorway, subject to the imposition of the following conditions in relation to:

1. The submission of details of the site boundary treatments adjacent to the M1 motorway; and,
2. The submission of details of the external lighting and building signage installation, and any details of any building frontages, design and illumination, overlooking the motorway.

February 2023 consultation: No objection raised to the changes arising from the Addendum, subject to the imposition of the conditions requested by National Highways in the August 2019 consultation.

Natural England:

February 2019 consultation: No objection raised and considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

February 2023 consultation: No objection raised.

Ramblers Association

February 2019 consultation: No comments received.

February 2023 consultation: No comments received.

Severn Trent Water

February 2019 consultation: No comments received.

February 2023 consultation: No objection has been raised, but comments have been made to confirm that as a foul water drainage connection into the public sewer is required, the applicant/developer will be required to apply for a Section 106 of the Water Act connection approval with Severn Trent. This is a separate matter which falls outside of the remit of the planning process.

In addition, Severn Trent have commented that a sewer modelling study may be required to determine the impact that the proposed development will have on the existing system and if flows can be accommodated.

Furthermore, Severn Trent have commented that as an organisation, they may need to undertake a more comprehensive study of the catchment to determine if capital improvements are required. If capital improvements are needed, a reasonable amount of time will be required to allow these works to be completed prior to any additional flows being connected.

Whetstone Parish Council

February 2019 consultation: No comments received.

February 2023 consultation: "The Clerk had all relevant information relating to this application on the screen for presenting. He had copied the previous "visit" to this application by the Highways WP. It had not been looked at by Council as it was a neighbouring application.

The Clerk updated Members with the key changes in the resubmitted application. Members discussed the application and its changes. The main concerns were the traffic around St. Johns B4114, Enderby Road, Fosse Park and beyond to Junction 21

which were already loaded during peak rush hour times. It was commented on how the rush hour now began at 3.30 p.m. and continued until 6.00 p.m. along the B4114 past the Police Headquarters. This then continued down the Enderby Road and through the village.

It was felt this application would be approved, due to its size and strategic location. Mitigation was needed towards Whetstone. What could be accommodated was not known.

RESOLVED: That the following observations be made:

The Park and Ride should have longer opening hours and should have the first stop at Fosse Park on the way into the city. This may help the traffic volumes as a lot of this traffic and users were Foxhunter side of the facility. Mitigation was noted for the Fosse Park side of the development. Concerns were along the Enderby Road from the Fox Hunter. Traffic coming on and off Leicester Lane using the Police Headquarters traffic lights would increase the already overloaded road network.

The creation of public access lakes and walks needed to ensure a safe crossing to access the site. The flooding currently experienced on this site as farmland would need to be addressed to ensure the B4114 did not flood, as it currently does opposite Palmers.

Traffic going to junction 21 was a perceived problem. The junctions around the Grove Park/Sainsburys were not currently accommodating traffic ingress and egress to the business park at peak times. As this would become the sat nav and defacto route into the site, this would need mitigation. All of these roads again do not cope with the existing traffic ingressing and egressing the site.

The applicant should give all affected Parishes some mitigated "monies" via a community scheme, as acknowledgment that the issues this development will cause cannot be mitigated. The parishes affected are Enderby, Narborough, Whetstone, Glen Parva and Braunstone Town. Tree planting could be undertaken in these parishes to try and mitigate more and more stationary traffic on their roads. This would be welcomed by Whetstone Parish Council.

The Clerk to submit the above as Whetstone Parish Councils formal submission."

Third Party Representations

A total of 1,330 letters of representation have been received during the course of this Outline planning application being under consideration.

The first consultation process undertaken in 2019 produced the submission of 45 representations. Of these 45 representations, 43 were objections, with no letters of support being received. In addition, 2 representations were received providing general comments on the proposal.

During the second consultation process in February and March of 2023 following the submission of the Addendum to the Environmental Statement, 1,285 letters of

representation were received. 1,275 of these representations were objections, 5 were letters of support and 5 were representations making general comments.

In summary, the following concerns were raised in the letters of objection:

Impact on Highways and Transport

- Traffic congestion – fuel wastage, increase in travel to work/general commute times;
- Capacity and congestion issues at M1/M69 will be worse;
- Increase in commute times forcing people to leave Enderby
- A site with direct access off the M1 would be better, rather than using J21
- Inadequate existing road network, specifically Leicester Lane into Enderby village;
- Foxhunter roundabout will not be sufficient in scale to cope with the increased traffic and vehicle size;
- Already too many HGVs driving around Enderby;
- Routeing of HGVs associated with the operational development;
- Impacts on highways safety, including more accidents;
- Impacts on pedestrian and cyclist safety, with an emphasis on child safety due to proximity to local schools;
- Lack of formal/signalised crossing points along St Johns making it difficult to cross the road;
- Questions regarding what plans are in place to mitigate the highway impacts;
- Significant road infrastructure required to mitigate the development;
- No highway mitigation measures are proposed;
- A proposed relief road will not reduce congestion in the locality;
- Existing public bus services are unreliable;
- Questions whether existing bus stops be improved;
- Existing bus stop outside of the application site is dangerous;
- Concerns that the proposed Enderby Relief Road will not be built;
- Impacts on the designated walking areas/public right of way within the site will be more dangerous to use;
- Insufficient parking for existing commercial sites, situation will get worse, over spilling on streets in local area;
- Impact on emergency services accessing/egressing Leicestershire Police HQ, prolonging response times to emergency incidents;
- Poor road surface conditions are likely to be worsened by increased traffic.

Environmental Impacts

- Proposal will add to the ‘Climate Change’ problem;
- Pollution/air quality issues will lead to increase in respiratory problems locally;
- Enderby already above the World Health Organisation recommended levels of air pollution;
- Dirt and dust during construction phase will be unbearable and dangerous;
- Proposal is not environmentally friendly and will lead to an increase in greenhouse gas emissions;

- Noise pollution caused by the 24 hour use;
- Reversing alarms from HGVs and forklift trucks;
- Noise emanating from the site will disturb sleep patterns of local people;
- Locals unable to open their windows due to noise and poor air quality;
- Substantial increase in light pollution from buildings and roads;
- Proposal is contrary to BDC's 'Green' policies;
- Increase in littering on and around the application site.

Character and Appearance

- Loss of last area of green space between Enderby and Fosse Park;
- No separation from the City;
- Loss of green wedge/green space;
- Loss of trees and hedgerows on the site;
- Loss of 'yellow posted' public right of way (Fosse Way);
- Already a lack of green space in Enderby;
- Developing the site will lead to the joining of Narborough and Enderby;
- Overdevelopment of the site;
- Large buildings on the site will have a negative impact on the landscape and will change the character/appearance of the area;
- Village will lose its defined character/identity;
- Other major developments on neighbouring land around Fosse Park has eroded the rural character;
- Proposed landscaping will be out of character and unsympathetic.

Impact on Residential Amenity

- Poor relationship with occupiers of Barr Close, Thomas Close and Peters Close;
- Negative impacts on human wellbeing and mental health;
- Overbearing and overshadowing;
- Loss of privacy to residential properties;
- Loss of outlook/view;
- Impact on neighbouring residential properties;
- Worse quality of life for local people;
- Loss of dog-walking area;
- Potential loss of pedestrian footways and cycleways;
- Lengthy construction period will lead to prolonged disturbance;
- Several vulnerable populations less than a mile from the site;
- Cycle storage should be secure & monitored as per current guidance.

Impact on the Historic Environment

- Impact on the historic alignment of the old Fosse Way Roman Road;
- There would be an impact on a Scheduled Monument;
- Harmful impact on known archaeology in the area;
- No evidence of a staged programme of archaeological work;
- Impact on the setting of the graveyard to the Grade II* Church of St John the Baptist;

- Impact on a Conservation Area.

Impact on Drainage and Flood Risk

- Developing on flood plain;
- The application site floods;
- Negative impact on surface water drainage as a result of rainfall and will exacerbate flooding elsewhere e.g. Jubilee Park;
- Proposed lakes (attenuation ponds) insufficient to deal with surface water drainage.

Impact on Ecology

- Impact on the habitats of wildlife, including protected and non-protected species;
- Loss of flora and fauna;
- Habitat loss on the site – vegetation, hedges, grasses, trees, pond;
- No biodiversity net gain calculation has been carried out;
- Not enough trees will be provided by the development;
- No replacement habitats are being created by the development;
- There are known badger setts on the site.

Economic Impacts

- There is already enough commercial development in Enderby;
- Enderby and Blaby has already met its employment targets;
- Lack of employment 'need' for this type of use for people in Enderby;
- The development will attract wider employment opportunities rather than local;
- There is an over-provision of logistics buildings in Leicestershire and logistics demands can be met elsewhere in the County on more suitable sites e.g. Magna Park;
- Limited economic benefits due to logistics being personnel light;
- The proposal doesn't support/provide accommodation for smaller enterprises/businesses;
- Question as to what will happen if the units remain unoccupied like one of the logistics buildings off Leicester Lane;
- No local need for a logistics training academy;
- No local need for training facilities/rooms;
- Low skilled, minimum wage jobs created which does not align with local population;
- Distribution hub provides no benefit to immediate area;
- Increased crime rate.

Miscellaneous Concerns

- Enderby residents do not feel like they are being listened to;
- Inappropriate location due to proximity to schools, houses and smaller businesses;

- Public perception that the developers and the Council are greedy and don't care about local people;
- Applicants are not local and do know or care about the needs of the local area;
- No proven need for this development;
- Should be building on brownfield sites;
- Inaccurate baseline data – data gathered during pandemic (traffic data questioned on a number of occasions);
- A National Grid North Sea Gas mains runs through the site underground;
- The local area is already over-developed and will be over-populated due to the development;
- Loss of recreation space;
- Lack of community benefit, no provision of recreation/leisure/social spaces;
- Negative impact on house prices in the local area;
- Loss of agricultural land;
- On balance, negatives outweigh the benefits;
- Construction traffic concerns (temporary traffic lights, parking, access, noise, hours, health, and utilities interruption to surrounding area).

In reviewing the concerns raised through the public consultation process, officers have read and given careful consideration to the matters raised in all forms of submitted correspondence. Some of the concerns raised form part of an important suite of material considerations which will be addressed later in the report.

Some of the concerns that have been raised question the validity of the baseline data and studies/surveys undertaken and included within the submitted Environmental Statement and the subsequent Addendum. It is noted that in some instances where this has occurred, only hypothetical assumptions or anecdotal evidence has been submitted to support such claims, with no formal assessment or surveys being undertaken to refute the evidence within the Environmental Statement and Addendum.

Officers understand and wholly acknowledge the sensitive nature of this development proposal. Extensive liaison has taken place with the applicant and their consultants on all concerns raised as part of the consultation process to establish the facts of the various assessments undertaken in support of this application. On this basis, in instances where evidence has been refuted by an objector in isolation without supporting evidence to quantify the concern, officers are unable to attribute significant weight to that objection.

From the representations of support, the following points have been raised:

- The development will provide jobs and some employment benefits, which is welcomed;
- The development will lead to an enhancement to the character and appearance of the area;
- There will be sustainable transport opportunities to encourage local workers to cycle/escooters/foot;
- The development provides an opportunity to link up and enhance local cycle/pedestrian routes with Fosse Park and the City.

From the representations making general comments, the following points have been raised:

- Question as to whether Active Travel England been consulted;
- Question as to whether the development is in conjunction Blaby District Council's Active Travel Working Group and the Local Cycling and Walking Infrastructure Plan?
- Question asking whether the development will lead to improved pedestrian access & links be provided in and around the site entrance/exits.

Relevant History

16/05/EIASCO	Scoping Opinion in respect of proposed Development at land to the south of Leicester Lane, Enderby (Environmental Impact Assessment Required)	EIAREQ 17.06.2016

EXPLANATORY NOTE

Site Description:

The site, which is located to the south of Leicester Lane and to the west of St Johns (B4114) in Enderby has been allocated for employment uses in Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document (the "Delivery DPD", adopted February 2019), of which the policy states that the site shall be primarily for B8 (storage and distribution) uses. Policy SA3 also states that ancillary uses and what were formerly known as Class B1 (b and c) and B2 uses will be allowed where it can be demonstrated that any adverse transport impacts can be mitigated.

The application site comprises an area of approximately 33 hectares of agricultural land. At its longest, the site's north to south dimension running parallel with the alignment of the Fosse Way is some 870 metres in length. The site is at its widest running some 590 metres from east from the B4114 to the M1 motorway embankment to the west.

The site is constrained by the following features:

- To the site's northern and north-eastern extents by Leicester Lane and the Enderby Park and Ride facility;
- To the site's southern and south-east by Blaby Road, an area of ridge and furrow pastureland, and a residential development at Barr Close;
- To the site's eastern extents by the alignment of St Johns (B4114); and
- To the site's western extents by the embankment of the M1 motorway.

The site is bound by a series of mature hedgerows and would be accessed via the construction of a vehicular access off Leicester Lane, immediately to the south of Smith Way, which serves Grove Park.

Whilst the application site area is approximately 33 hectares in size with a gross development area of some 33 hectares, the net developable area on the site will be less due to the need to provide strategic landscaping to protect the alignment of the Fosse Way Roman Road and to provide a buffer to nearby residential properties, including any sensitive areas of landscape.

The Proposal:

This application seeks Outline planning permission with all matters reserved excluding access, for a commercial development consisting of the erection of four warehouse buildings with ancillary office accommodation and gatehouses, including the construction of a training and education centre. The proposed use of the site is for storage and distribution uses (Use Class B8) along with ancillary office uses (B1b and c) to support the primary employment function.

Initially, the proposal sought to provide two vehicular accesses into the site. The primary vehicular access providing points of entry and egress are located on the southern half of Leicester Lane, opposite the entrance into Grove Park via Smith Way. The second access point sought to provide a 'left in, left out' point of entry and egress off St Johns (B4114), opposite Palmers Garden Centre.

Following the County Highway Authority raising concerns on highway safety grounds, the applicant has followed the advice of Leicestershire County Council's Highways officers and has removed the second 'left in, left out' access and egress points off the B4114 from the proposal entirely.

In addition, the applicant has applied for separate planning permissions to deliver a new 'link-road' (known colloquially as the Enderby Relief Road) between Harold's Lane and Warren Park Way and the road currently serving Leicester Commercial Park to the north of Leicester Lane in Enderby. The application reference numbers for these applications are, 19/0178/FUL, 19/0179/FUL, 19/0180/RM, 20/1446/FUL and 20/1447/RM, respectively. Furthermore, this proposed road infrastructure sought to provide a new roundabout to serve the Leicester Commercial Park and highway widening improvements to the junction of Warren Park Way and Mill Hill.

The applications associated with the above-mentioned road proposals were initially linked to the current Outline application 19/0164/OUT (informed by transport modelling and a Transport Assessment) as a means of mitigating the perceived transport impacts. However, during the consideration of this application currently before Members, the County Highway Authority requested the undertaking of a further transport modelling assessment to establish the necessary mitigation measures of this proposed logistics development. This further assessment has not identified a need for the delivery of a new road as mitigation for the proposed employment development under the current application 19/0164/OUT but has instead identified a series of other mitigation measures which will be discussed in further detail later in this report.

Consequently, the applications for the proposed road infrastructure have been "uncoupled" from this Outline application currently before Members, however these applications remain live and are pending consideration. Whilst the determination of these applications are not a material consideration in relation to the consideration of

this application (19/0164/OUT), it is worth noting that the progress regarding the road proposals have been delayed by technical issues concerning landfill gas, the relocation of landfill gas management equipment, impacts on protected trees, impacts on the historic environment and highway modelling works. The applicant has confirmed that it is their intention to progress the Enderby Relief Road applications separately, following the determination of this planning application (19/0164/OUT).

Although matters of scale, appearance, layout and landscaping are not matters for consideration at this time, an Illustrative Masterplan and Parameters Plan have been provided to give an indication of proposed building lines demonstrating the set-back from the St Johns frontage, access and circulation for vehicles and pedestrians, existing and proposed landscaping features to provide buffers between existing residential properties and sensitive landscape features, including provision of open space and attenuation ponds and water bodies for surface water drainage. The Parameters Plan also stipulates an upper limit for eaves heights (not ridge height) in each respective development zone of 15 metres.

Environmental Impact Assessment:

This Outline planning application has been submitted with an accompanying Environmental Statement. The process of Environmental Impact Assessment in the context of town and country planning in England is governed by the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The aim of the Environmental Impact Assessment Regulations is to protect the environment by ensuring that a local planning authority when deciding whether to grant planning permission for a project which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and takes this into account in the decision-making process. The Regulations set out a procedure for identifying those projects which should be subject to an Environmental Impact Assessment, and for assessing, consulting and coming to a decision on those projects which are likely to have significant environmental impacts.

The applicant quickly established during pre-application discussions that the proposed development met the relevant threshold in Schedule 2 of the Regulations requiring the submission of an Environmental Statement. The applicant carried out the ‘Scoping’ process with the District Planning Authority in 2016 and it identified that the following environmental impacts should be considered under relevant chapters in the Environmental Statement:

- Transport
- Noise and Vibration
- Air Quality
- Landscape and Visual
- Ground Conditions
- Soils and Agriculture
- Archaeology and Heritage
- Ecology
- Socio-economics

- Residual and Cumulative Effects.

The initial consultation on the Environmental Statement took place in February and March 2019 in accordance with the requirements of the Regulations. In addition, the Secretary of State was notified of the application.

Amendments to the proposed development, which include the removal of a secondary point of vehicular access/egress along with the uncoupling of the employment development and the Enderby Relief Road applications and identification of new mitigation measures resulted in the submission of an Addendum to the original Environmental Statement. In addition, given the length of time between certain surveys being carried out, the applicant has provided updated surveys (most notably on the topics of transport, ecology and air quality) to establish whether any changes have occurred to their original baseline assessments.

A full re-consultation was carried out in accordance with the Regulations in February 2023, and the Secretary of State was notified.

The Regulations state that when determining an application to which an Environmental Statement has been submitted, the local planning authority must examine the environmental information, reach a reasoned conclusion on the significant effects of the proposed development on the environment, integrate that conclusion into the decision as to whether planning permission is to be granted, and consider whether it is appropriate to impose monitoring measures.

Planning Considerations

Section 38(6) of the Town and Country Planning Act 1990 requires planning applications to be determined in accordance with the provisions of the Development Plan unless there are other material considerations which indicate otherwise.

National Planning Policy Framework

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

  i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Other relevant policies of the NPPF are referenced within the main body of the material considerations.

Blaby District Local Plan (Core Strategy) Development Plan Document (2013)

The adopted Core Strategy (February 2013) is part of the Development Plan for the District of Blaby. It is an up-to-date plan that is consistent with National Policy. Therefore, the policies of the Core Strategy should be given full statutory weight. The following policies are the most relevant to the proposed development:

Policy CS1 – Strategy for Locating New Development

Policy CS1 seeks to focus new development in the most sustainable locations in the district, primarily within and adjoining the Principal Urban Area (PUA) of Leicester (Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva).

Policy CS2 – Design of New Development

Policy CS2 seeks to ensure that a high quality environment is achieved in all new development proposals, respecting distinctive local character and providing opportunities to enhance the natural and historic environment.

Policy CS6 – Employment

Policy CS6 seeks to provide an appropriate range of employment opportunities, however it also allows for growth of existing businesses and for inward investment in order to help meet the needs of the District's current and future populations.

Policy CS10 – Transport Infrastructure

Policy CS10 ensures that appropriate measures are taken to mitigate the impacts of the development and ensure that it is supported by the provision of adequate infrastructure and does not overburden existing infrastructure. In addition, the policy seeks to deliver the transport needs of the District and encourages the use of more

sustainable forms of transport (including walking, cycling, other forms of non-motorised transport and public transport).

Policy CS11 – Infrastructure, Services and Facilities to Support Growth

Policy CS11 seeks to deliver the infrastructure, services and facilities required to meet the needs of the population of the District of Blaby, including those arising from growth. The Infrastructure Plan in Appendix D of the Core Strategy identifies strategic infrastructure to support the scale and distribution of development proposed in the Core Strategy.

Policy CS12 – Planning Obligations and Developer Contributions

Policy CS12 ensures that the impacts on local infrastructure, services and facilities are mitigated through the use of planning obligations. Where requirements for infrastructure, services and facilities arising from growth are identified, it is expected that developers will contribute towards their provision.

Policy CS14 – Green Infrastructure

Policy CS14 seeks to ensure that the District's natural environment, wildlife, habitats, landscape and geology are considered and protected through good design practices, seeking to protect existing green spaces and provide new good quality, multi-functioning green networks and corridors.

Policy CS19 – Bio-diversity and Geo-diversity

Policy CS19 seeks to safeguard and enhance sites of ecological and geological importance of national, regional and local level significance. The policy also states that the Council will seek to maintain and extend networks of natural habitats to link sites of biodiversity importance by avoiding or repairing the fragmentation and isolation of natural habitats. The policy also seeks to protect those species which do not receive statutory protection but have been identified as requiring conservation action.
Development proposals should ensure that these species and their habitats are protected from the adverse effects of development through the use of appropriate mitigation measures. The policy also states that the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design of development proposals.

Policy CS20 – Historic Environment and Culture

Policy CS20 recognises the need for the Council to take a positive approach to the conservation of heritage assets by considering proposals for development on, in, or adjacent to historic sites, areas and buildings against the need to ensure the protection and enhancement of the heritage asset and its setting. This Policy goes on to state that proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting. It will also expect new development to make a positive contribution to the character and distinctiveness of the local area.

Policy CS21 – Climate Change

This Policy seeks to support new development which mitigates and adapts to climate change. New development should be focussed in the most sustainable locations (in accordance with Policy CS1) and use sustainable design principles which reduce energy demand and increase efficiency.

In addition, Policy CS21 states that development which mitigates and adapts to climate change will be supported. It states that the Council will contribute to achieving national targets to reduce greenhouse gas emissions by:

a) Focusing new development in the most sustainable locations;
b) Seeking site layout and sustainable design principles which reduce energy demand and increase efficiency; and,
c) Encourage the use of renewable, low carbon and decentralised energy.

The policy also states that the Council will ensure that all development minimises vulnerability and provides resilience to climate change and flooding.

Policy CS22 – Flood Risk Management

Policy CS22 seeks to ensure that all new development minimises flood risk vulnerability, providing resilience to flooding by:

a) directing new development to locations at the lowest risk of flooding within the District;
b) using sustainable drainage systems (SuDS) to ensure that flood risk is not increased on site elsewhere;
c) managing surface water run off to minimise the net increase in surface water discharged into the public sewer system; and,
d) Closely consulting the Environment Agency in the management of flood risk.

Policy CS24 – Presumption in Favour of Sustainable Development

Policy CS24 requires that when considering development proposals, Blaby District Council will take a positive approach that reflects the presumption in favour of sustainable development and planning applications that accord with the policies in the Local Plan Core Strategy will be approved without delay, unless material considerations indicate otherwise.

Blaby District Local Plan Delivery DPD (2019)

The Delivery DPD was adopted on 4th February 2019 and full weight can be given to its policies. It sits alongside the Core Strategy to form part of the Development Plan for the District. The following Policies are relevant to this application;

Policy SA3 – Employment Site Allocation

Policy SA3 allocates land to meet the residual need for employment need. Taking account of completed sites, land with planning permission and actual and proposed

losses to existing employment land and premises there is the evidence that supports Policy SA3 recognised need to identify about 25.38 hectares of employment land. Since the adoption of Policy SA3, the District's employment land need has been monitored. Based on the current evidence as a result of this monitoring, the residual need for employment land has increased, with some 30.65 hectares of employment land needing to be identified.

The boundary of the proposed development is consistent with the Local Plan Delivery DPD. The wording of the policy is included in full below:

Employment Site Allocation

Land West of St Johns, Enderby, as set out on the Policies Map, will be allocated for employment uses (approx. 33 hectares gross).

The development will meet the following requirements:

Mix of uses

a) The site shall be primarily for B8 (storage and distribution) uses. Ancillary uses and B1 (b and c) and B2 uses will be allowed where it can be demonstrated that any adverse transport impacts can be mitigated. Planning applications for B1(a) office uses of 2,500 square metres or more shall be subject to a sequential test and accompanied by an impact assessment in line with policy CS6.

Transport

b) Transport infrastructure improvements will be required to mitigate the impact of the proposed development on the local and wider road network.

c) A transportation strategy will be prepared in advance of the determination of any planning application. The timing of the delivery of transport infrastructure will be determined through an agreed phasing plan. The transport impacts assessed and any phased mitigation will identify the cumulative impacts of the proposal with other developments close to junction 21 of the M1 including: Lubbesthorpe Sustainable Urban Extension and Strategic Employment Site, Castle Acres retail development and Everards Meadows.

Highway improvements

d) A comprehensive package of transport improvements informed by a robust transport assessment will be required. The improvements should include:

i. Improvements to junction and link capacity in Enderby Village Centre (including opportunities to complete the Enderby by-pass linking the

B582 at Enderby to Leicester Lane via Warren Park Way and Leicester Lane Strategic Employment Site);

ii. Improvements to junctions and links on the B4114 / B582;
iii. Improved capacity at junction 21 of the M1 if necessary;
iv. Improvements to junctions on the A563 (Lubbesthorpe Way) and B5460;and
v. Provision of a signal controlled junction at the access to the site on Leicester Lane.

Sustainable transport measures

e) The proposed employment development will be designed to incorporate:

i. Segregated cycling and pedestrian links. The design of the proposal will link with existing cycle routes on St Johns, Leicester Lane and the B582.
ii. Measures that seek to achieve a modal shift away from private car use including provision of a Travel Plan for employees which includes measures to encourage the use of more sustainable transport; and
iii. Potential to encourage employees to use local bus services. Where insufficient capacity exists in local bus services financial contributions will be required.

Heritage

f) The design and layout of any proposal will seek to minimise any impact on designated and non-designated heritage assets. In particular, the design and layout of the site shall seek to retain the integrity of the alignment of the Fosse Way Roman Road by avoiding development (other than necessary access infrastructure) along its length. Opportunities to provide ‘interpretation’ and increase awareness of the asset will be encouraged.

g) Archaeological evaluation shall be undertaken in accordance with a scheme to be agreed with the County Archaeologist prior to determination so that the design and layout can respond to the importance of any associated features with the line of the Roman Road. Finds shall be treated in a manner proportionate to their significance.

Biodiversity

h) Detailed proposals shall respect the integrity of important habitats and species and demonstrate that the impacts of development on these matters of importance are satisfactorily mitigated. Design solutions will include planting trees and hedgerows to enhance the wildlife corridoes along the Fosse Way and western boundary.

Landscape

i) The strategic landscaping shall be identified on the masterplan accompanying the planning application.

j) Existing important hedgerows and tree belts on the site boundaries shall be retained where possible and a landscape buffer provided to the eastern and southern boundaries of the site. The submitted masterplan shall clearly provide a landscape structure to the site and identify where additional planting will be included to mitigate any adverse impacts and soften and screen built development.

Surface Water

k) New development shall aovid areas of built development in areas that are prone to flooding. Measures to address and resurface water drainage including Sustainable Drainage Systems will be required.

Masterplan

i) A masterplan shall be prepared and agreed in advance of, or as part of, submission of a planning application for the allocation. The masterplan will set out in detail: the proposed access points and road structure; the protected area on and adjacent to the Fosse Way Roman Road; important environmental features to be retained (trees, hedges, ponds etc.); new areas of planting and landscaping; design principles including scale, materials, design concept and architectural parameters.

l) Planning permission will not normally be granted until a comprehensive masterplan has been completed to the satisfaction of the Local Planning Authority.

Phasing and delivery plan

n) A phasing and delivery plan shall be prepared and agreed in advance of, or as part of, submission of a planning application for the allocation. The phasing and delivery plan will set out in detail the timescale for delivery of key infrastructure including transport improvements. The delivery plan will indicate how transport mitigation will be co-ordinated with that proposed as part of the approved Lubbesthorpe Sustainable Urban Extension and other approved commercial developments in the vicinity of Junction 21 including Castle Acres, Everards Meadows and the Leicester Lane Strategic Employment Site.

Policy DM1 – Development within the Settlement Boundaries

Policy DM1 states that within the Settlement Boundaries, development proposals consistent with the other policies of the Local Plan will be supported where certain criteria are met, relating to the relationship with neighbouring uses, being in keeping

with the character and appearance of the area, not resulting in overdevelopment, being of satisfactory layout, design and external appearance, and not prejudicing the comprehensive development of a wider area.

Policy DM4 – Connection to Digital Infrastructure

Policy DM4 states that all new build major residential and commercial development should be served by fast, affordable and reliable broadband connection in line with the latest Government target. It states that developers will liaise with broadband infrastructure providers to ensure that a suitable connection is made. The wording of the policy was amended following public examination to state that new development should be served by this type of infrastructure rather than specifically requiring it. This was considered necessary to introduce flexibility into the policy given that delivery of a broadband connection would likely be reliant on a third-party contractor over which a developer is unlikely to have any control.

Policy DM7 – Road Related Facilities for HGVs

The policy requires 'Major development proposals' for B8 uses to include provision, of an appropriate scale, for road related facilities for HGV drivers. Facilities to include toilets and secure parking, within the development site.

Policy DM8 – Local Parking & Highway Design Standards

Policy DM8 seeks to provide an appropriate level of parking provision within new development which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility and the availability of and opportunities for public transport. It states that all new development will be required to meet highway design standards as set out in the most up-to-date Leicestershire Local Highway Guidance.

Policy DM12 – Designated and Non-designated Heritage Assets

Policy DM12 states that all new development should seek to avoid harm to the heritage assets of the District. Development proposals that conserve or enhance the historic environment will be supported. The policy states that designated heritage assets and their settings will be given the highest level of protection to ensure that they are conserved and enhanced in a manner appropriate to their significance and contribution to the historic environment. Where substantial harm is identified, proposals will only be supported in exceptional circumstances in accordance with national planning guidance. Where a less than substantial level of harm is identified, the scale of harm will be weighed against the public benefits of the proposal.

Policy DM14 – Hazardous Sites and Installations

Policy DM14 states that development proposals within the consultation zones for major hazard sites and major hazard pipelines, as set out on the Policies Map, will take account of the requirements to keep separate housing and other land uses that may be incompatible with the major hazard and prevent damage to major hazard pipelines or installations.

Relevant Documents

Blaby District Council Planning Obligations and Development Contributions Supplementary Planning Document (February 2010)

This Supplementary Planning Document outlines Blaby District Council's strategy for securing relevant developer contributions in relation to new development. It sets out when Blaby District Council will request contributions, whether for the District Council or on behalf of another service provider, and how the payments will be collected, distributed and monitored.

Leicestershire Highways Design Guide (LHDG)

The LHDG deals with highways and transportation infrastructure for new developments in areas for which Leicestershire County Council is the highway authority.

Blaby Landscape and Settlement Character Assessment (January 2020)

Provides up-to-date landscape and settlement evidence to inform the emerging Blaby Local Plan and help guide development management decisions. The assessment states that "understanding the character of a place is a key part of ensuring the protection and enhancement of built and natural environments, managing sustainable economic growth and improving the health and wellbeing of local communities".

The Leicester and Leicestershire Housing and Economic Needs Assessment 2022 (HENA)

The HENA provides analysis on the future employment land needs by type from 2021 to 2036, 2041 and 2050. It considers the labour demand (baseline and growth) scenarios provided by Cambridge Econometrics, as well as completions trends using Council monitoring data.

The Strategic Warehousing Study ('Warehousing and Logistics in Leicester & Leicestershire: Planning and Managing Change / Growth') 2022

Provides recommendations regarding the future volume of warehouse floor space and area of land required to accommodate it that should be planned for from 2020 to 2041. The study looks at large scale logistics and defines this as warehouse floor space that is more than 9,000 square metres in total.

Joint Strategic Flood Risk Assessment Final Report (October 2014)

The purpose of this document is to provide information on the changes to planning, policy and guidance since the previous Strategic Flood Risk Assessment, provide a detailed assessment of any flood hazard within the Flood Zones, provide information on existing defences and flood risk management measures, and to allow for a sequential approach to site allocation.

Material Considerations

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise, and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal.

This section of the report considers the material planning considerations in further detail, and is divided into the following sections:

- Principle of Development
    - Site Location
    - Current Market Conditions and Need
    - Training and Education
    - Socio Economic Impacts
- Loss of Agricultural Land
- Impact on the Highway Network
    - Access
    - Trip Generations
    - Highway Impacts and Mitigation
    - Walking, Cycling and Sustainable Travel
    - Parking
- Flood Risk and Drainage
    - Flood Risk from Rivers
    - Flood Risk from Surface Water
    - Surface Water Drainage
    - Foul Water Drainage
- Ecology and Biodiversity
    - Amphibians
    - Badgers
    - Bats
    - Birds
    - Reptiles
    - Otter and Water Vole
    - White Clawed Crayfish
    - Trees and Hedgerows
    - Biodiversity Net Gain (BNG)
- Landscape and Visual Impact
    - National Character Assessment
    - Leicester, Leicestershire and Rutland Landscape Strategy
    - Blaby District Landscape and Settlement Character Assessment
    - Landscape Visual Impact Assessment
    - Landscape Strategy
- Design Code
- Open Space
- Environmental Impacts
    - Air Quality
    - Noise and Vibration
    - Light

    - Neighbouring Occupiers and Uses
- Construction Management and Phasing
- Impact on heritage assets
    - Archaeology
    - Fosse Way Roman Road
    - Enderby Conservation Area
    - Setting of the Church of St John the Baptist
    - Setting of Enderby Hall
    - Setting of Scheduled Monument – Site of St John's Church, Aldeby
    - Conclusions on Heritage
- Climate Change

Principle of Development

A key element of the Delivery DPD is to identify sites for employment land. In this regard, the application site has been allocated for employment development under Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document.

The commentary within Policy SA3 provides the context regarding the District Council's employment requirements and how it seeks to meet its strategic objective of providing the appropriate quantity, quality and mix of employment opportunities to meet the needs of the District's current and future populations, and to meet strategic employment, education and training needs during the plan period.

Policy CS6 of the Council's Core Strategy, which was informed by the 2011 Blaby Employment Land and Premises Study, established a minimum requirement to provide approximately 68 hectares of employment land, with the primary aim being to deliver employment sites within the Principal Urban Area of Leicester (PUA). At the time of drafting the Core Strategy there was a residual requirement for some 17 hectares of employment land. Subsequent monitoring carried out in connection with the emerging Delivery DPD prior to 2019 identified that the residual requirements to meet identified employment land requirements had increased to 25.4 hectares.

This is summarised in the table below, which is from page 13 of the Blaby District Local Plan (Delivery) Development Plan Document (2019). The table identifies that the increase in the need for employment land was as a result of some existing employment sites being lost from employment to other uses as well as loss of sites that were allocated or with permission being removed as they were unlikely to be delivered during the plan period. With these losses being added to the previous residual requirement, a total residual employment land requirement of approximately 26 hectares has been identified.

Table 1: Land Supply Changes since Core Strategy Adopted (at April 2018)				
Hectares	Requirement	Completed or with Permission	Losses	Residual requirement and losses
Core Strategy Requirement	68.00	64.55	0	3.45
Sites in the supply position at April 2011	23.64	15.75	7.89	7.89
Actual losses to existing employment land and premises since 2011			14.04	14.04
Total				25.38

In order to meet this outstanding requirement, the land subject to this application for Outline planning permission was proposed and accepted as an employment allocation.

The District Planning Authority has continued to monitor its residual employment land requirements since the adoption of its Delivery DPD. The continued monitoring has identified a small increase in the amount of employment land completed, under construction or with permission since the Delivery DPD became adopted.

However, it is understood that there has also been a number of losses, which includes a revoked allocation at Quarry Lane, Enderby and revoked permission at Blaby Hall, Blaby as well as the former Everards Brewery site now forming part of the motorway retail area at Fosse Park.

With this in mind, the current position based on the latest available figures has resulted in the total residual requirement and losses for employment land increasing from 25.38 hectares to 30.65 hectares, representing an overall increase in the requirement of 5.27 hectares.

Site Location

The application site is situated on land to the west of St Johns (B4114) and south of Leicester Lane, on the outskirts of Enderby. The administrative area of Blaby District contains the junction of the M1 and M69 motorways and is within the northern tip of an area known as the 'Golden Triangle', due to it being in an attractive location for business, particularly associated with storage and distribution.

By virtue of the application site's location and proximity to the strategic road network alongside other large-scale commercial uses and a nearby source of labour, the site is considered to be highly attractive to the market, offering employment opportunities for the local population in a location which is accessible by walking, cycling and public transport.

Current Market Conditions and Need

The proposed development would seek to provide employment opportunities in the storage and distribution industry (Use Class B8) and would respond to the clear demand for 'B8' uses identified in the Leicester and Leicestershire Strategic Distribution Study of 2015.

Since the Core Strategy and Delivery DPD were adopted, there have been a number of further studies that will influence the employment land requirements for the emerging Local Plan and could be considered as material considerations.

The Leicester and Leicestershire Housing and Economic Needs Assessment 2022 (HENA) provides analysis on the future employment land needs by type from 2021 to 2036, 2041 and 2050. It considers the labour demand (baseline and growth) scenarios provided by Cambridge Econometrics, as well as completions trends using Council monitoring data. Consideration is also given to margins for flexibility, vacancy and replacement demand.

The HENA makes recommendations regarding future needs for office, industrial and local warehousing / distribution units under 9,000 square metres. Large scale warehousing/ distribution unit needs are reported in the Strategic Warehousing Study prepared by GL Hearn with MDS Transmodal and Iceni Projects and finalised in April 2022.

The HENA indicates a need for further employment land provision 2021 to 2041 for Blaby, stating a requirement to identify 34.7 hectares of industrial/distribution space, excluding strategic storage and distribution spaces.

The HENA also gives guidance on locational approach to meeting these needs. For industrial and local distribution it indicates that the key locations of demand for industrial and local distribution from a market perspective are at accessible locations in proximity to the labour force ideally at motorway or A-road junctions. There are numerous examples of recent and ongoing developments of mid-sized industrial stock around Leicester such as Optimus Point and Leicester Distribution Park which represent market preferences. On this basis, the application site meets this specification, with delivery of warehouses at Optimus Point in Glenfield demonstrating a strong market demand for B8 storage and distribution uses in the area.

The Strategic Warehousing Study 2022 ('Warehousing and Logistics in Leicester & Leicestershire: Planning and Managing Change / Growth') should also be considered as relevant as its main purpose is to recommend a future volume of warehouse floor space and area of land required to accommodate it that should be planned for from 2020 to 2041. The study looks at large scale logistics and defines this as warehouse floor space that is more than 9,000 square metres in total.

In summary, the study indicates an overall need for 2.5 million square metres of strategic scale (over 9,000 square metres) space for warehousing and logistics across Leicester and Leicestershire. Fortunately, there are already a number of existing commitments across Leicester and Leicestershire to accommodate a large part of this need. The outstanding need is for:

- 768,000 square metres of rail based space; and,
- 392,000 square metres of road based space.

The land at St Johns which forms the application site to this Outline planning application is included as part of the existing supply in the study.

Training and Education

Part of the proposed development seeks consent for the provision of a potential training centre. The applicant's reason for including a training centre as part of the current scheme was to ensure that the intended development provided training opportunities in the logistics sector for local people, who would subsequently benefit from the employment opportunities created through the proposed development.

Given the strong market demand for B8 logistics uses, it is envisaged that the proposed training facility would also provide benefits to both the potential workforce and to the logistics sector overall.

The proposed development, which includes the offer of a training facility is not a mandatory requirement of Site Allocation Policy SA3, but more of a voluntary offer from the applicant in an attempt to make a positive contribution to local training and employment opportunities in the area.

It is understood that some provision for training in the logistics sector is already proposed locally through the Centre for Logistics, Education and Research (CLEAR) at Magna Park in Lutterworth, however, details as to when this training centre is to be provided or to commence teaching are currently under consideration and will be part of any future Reserved Matters application. . Determining the need for this potential training centre – and the subsequent details of it's delivery – would require a thorough market investigation, which would include a feasibility study to establish local training requirements.

To that end, officers consider that in the event of this Outline planning permission being granted, it would be prudent to secure (via developer contributions under the Section 106 agreement) a financial contribution towards a feasibility study in order to establish the need for an on-site logistics training and education facility. The study would be carried out independently by the District Planning Authority but the costs would be covered entirely by the applicant or developer.

Socio Economic Impacts

The chapter of the Environmental Statement relating to socio-economic impacts identifies that the proposed development would result in a positive contribution to the local economy and community, including the following:-

- Increase in employment (the development is expected to create approximately 2,191 jobs);
- Increasing the amount of money earned and spent in the local area;

- Attracting workers to the area and keeping people of working age within the area;
- Reducing the number of people commuting out of Blaby for work; and
- Supporting local and regional economic growth.

Loss of Agricultural Land

The site is currently in agricultural use for arable purposes. Development of the site would result in agricultural operations ceasing on the developed land. The NPPF contains reference to agricultural land at paragraphs 174 and 175 and states that LPAs are required to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

The Agricultural Land Classification (ALC) places land in England and Wales into five categories, with the 'best and most versatile agricultural land' being defined in the glossary to the NPPF as land in grades 1, 2 and 3a of the Agricultural Land Classification. Land within areas graded as 3b, 4 and 5 are of less sensitivity in this regard. A combination of climate, topography and soil characteristics and their interaction determines the limitation and grade of the land.

Natural England has an ALC map for the East Midlands which indicates that the application site is all grade 3 land (good to moderate value). The Environmental Statement has provided further assessment to whether the land constitutes Grade 3a or 3b land using the ALC and identifies that the application site has mixed agricultural land quality, with 22.8 hectares (approximately 70% of the site area) falling within subgrade 3b, owing to soil wetness. Approximately 8.5 hectares (some 26% of the site area) falls within subgrade 3a, with approximately 1.4 hectares (approximately 4% of the site area) being classed as Grade 2 land. A small area of the Site is Non Agricultural land (land without agricultural potential).

Therefore, the proposed development would result in the loss of under 10 hectares of 'best and most versatile agricultural land', with the remainder of the site of approximately 23 hectares falling within subgrade 3b. This loss of 'best and most versatile agricultural land' is considered to be minor adverse in terms of effect as subgrade 3a land is relatively common in the Leicestershire area. On this basis, the loss of this site for agricultural purposes is not considered to be severe in environmental terms and would broadly accord with the requirements of the NPPF.

Impact on the Highway Network

The application site is situated on land to the west of St Johns (B4114) and south of Leicester Lane, on the outskirts of Enderby. The proposed development would be in close proximity to the junction of the M1 and M69 motorways and is within the northern tip of an area known as the 'Golden Triangle', due to it being in an attractive location for business, particularly associated with storage and distribution. Furthermore, the site is surrounded by a busy, local road network which forms one of the key routes into the City of Leicester and the Motorway Retail Area at Fosse Park.

The Environmental Statement and subsequent Addendum have been supported with a suite of documents and evidence to inform the likely impacts of the proposed development, including its design.

Leicestershire County Council are the relevant Highway Authority responsible for providing comments on the likely impacts on the local highway network.

National Highways (formerly Highways England) are the relevant organisation responsible for commenting on the potential impacts on the strategic road network. Although not a statutory consultee on Highway matters, Leicestershire Police have also made comments on matters such as access.

Access

The initial proposal sought to provide a principal vehicular access off Leicester Lane, Enderby, opposite the junction to Smith Way at Grove Park. In addition, a secondary 'left in, left out' vehicular access was proposed off the B4114 (St Johns) between the vehicular access serving the residential development at Barr Close and the access/egress points serving the Enderby Park and Ride site.

In their consultation response of 26/03/2021, the County Highway Authority made the following comments:-

"The Enderby Hub development proposals include introducing a second point of access onto the B4114 which does not form part of the local plan allocation. The LHA would advise that this access conflicts with Policy IN5 of the LHDG and raises unnecessary concerns over highway safety. In addition, this access presents the opportunity to route through the site, especially when travelling north along the B4114 but has not been modelled. This presents the opportunity for vehicles to rat-run through the site on a congested part of the network. The impacts of which are also unknown. This second point of access should be removed from the development proposals.

With regard to the main site access from Leicester Lane, the submitted access drawing is not currently supported by the necessary topographical survey data to confirm the geometry and design proposed is acceptable and deliverable. The LHA also note the submitted Stage 1 Road Safety Audit and designer's response states a number of issues raised will be left to detailed design. The LHA would advise where possible these matters are addressed in the planning arena prior to the geometrical design being tied down."

Changes have been made to the proposed development in accordance with the County Council's formal response and were submitted as part of the Addendum. These alterations removed the proposed 'left in, left out' access on the B4114, resulting in the sole vehicular access being located on Leicester Lane. In response to this change, the County Highway Authority provided formal comments on 23/12/2022 stating the following:-

"The latest proposals have removed the second point of vehicular access onto the B4114 which did not form part of the Local Plan allocation. The LHA welcomes the

removal of this vehicular access which conflicted with Policy IN5 of the Leicestershire Highway Design Guide (LHDG) and raised concerns over highway safety. Pedestrian access onto the B4114 remains part of the proposals, the principle of which the LHA supports and in improving pedestrian and cycle access to the site. The LHA have however discussed with the applicant team and Local Planning Authority (LPA) the requirement to provide associated footway / cycleway enhancements along the B4114 to provide the necessary wider connectivity and appropriate level of infrastructure enhancement to facilitate the sustainable transport aspirations of the site. A suitably worded condition is therefore advised below to enable this scheme to be delivered.

In accordance with Blaby DPD Site Allocations Policy SA3 vehicular access is proposed onto Leicester Lane via a fourth arm onto the existing Leicester Lane / Smith Way signal junction. Following additional work and design iteration the submitted access details are acceptable to the LHA. The additional work undertaken included the information requested in the LHA's previous highway observations including necessary supporting topographical survey data, updated Stage 1 Road Safety Audit and designer's response including design amendments undertaken within the planning arena where these couldn't appropriately be left until detailed design. The design does however include a bus layby on Leicester Lane, it is not currently clear if this provision will be required owing to the emerging PT strategy and therefore this aspect of the access proposals may still be subject to change at s278 stage…

Comments have also previously been issued regarding the capacity results presented by the applicant with regard to the access design currently presented. The revised assessment work submitted by the applicant identifies that the current junction arrangement in the base scenario approaches its operational capacity. In the forecast years tested the existing junction arrangement is forecast to exceed the design capacity for the junction by 2031 with additional queuing demonstrated. Whilst the introduction of the development traffic leads to further decrement to capacity and increased queuing in the AM peak, Practical Reserve Capacity remains similar in the PM peak. Crucially though, the magnitude of additional queuing and delay would not be considered 'severe' in the context of the National Planning Policy Framework (NPPF) especially when considered in the context of an allocated employment site in Blaby District Council's adopted Local Plan."

Having regard to the above observations, the County Highway Authority have deemed the proposed access arrangements to be acceptable and have recommended a condition to ensure that the proposed development is served by a safe and suitable vehicular access prior to the development being first brought into use.

As stated earlier in this Report, Leicestershire Police initially raised concerns regarding the removal of the access off the B4114, stating that a single point of entry to the application site would have a significantly detrimental impact on Leicester Lane and would lead to the potential for congestion owing to the presence of HGVs on the local network, the existing road layout and traffic management systems. The Police also raised concerns that the intensification of congestion would likely affect the Police's ability to respond to incidents when departing Force Headquarters on the B4114. No highway modelling work was undertaken by Leicestershire Police to qualify these concerns.

In response to the Police's concerns, the applicant has written to the relevant officers to clarify how access and egress to the site would be gained, providing further clarification on the extent of highway modelling work that has been undertaken to inform the proposed design and access arrangements, including clarification concerning both the local and wider traffic impacts associated with the proposed development. The letter also provided further clarification on the package of mitigation measures required to address and off-set these impacts.

Officers can confirm that Leicestershire Police have now accepted the County Highway Authority's position on these matters and are satisfied that the package of mitigation measures requested by Leicestershire County Council are appropriate to mitigate the highway impacts associated with the proposed development.

Trip Generations and Assignment

In their consultation response from March 2021, the County Highway Authority raised concerns regarding the rationale behind the applicant's trip generation data. The importance and the accuracy of this data cannot be understated enough in highways terms, as the consequential analysis of this data plays a fundamental role in both the County Highway Authority and National Highways being able to identify where the likely impacts of the development are going to occur on both the local and strategic highway network.

The County Highway Authority commented at that time that the baseline data being used was outdated and the number of trips were unclear in relation to the proposed B8 (storage and distribution), ancillary Class E (offices) and F1 (training facility) uses that would occupy the site.

In addition, concerns were raised that the trip generation data that had been submitted was predicated on the delivery of the proposed Enderby Relief Road to mitigate the proposed logistics development. On this specific matter, the County Highway Authority made the following observations:-

"Furthermore, it is understood that an estimate has been made over the assignment of trips that are considered likely to use the Enderby Relief Road. This was taken from the turning movements at the existing High Street/ B582/ Leicester Lane junction and whereby it has been assumed that 80% of traffic turning right from Leicester Lane onto B582 and 80% of traffic turning left from B582 to Leicester Lane will use the new relief road. Whilst this assumption could have been applied to test the robustness of the proposed Warren Park Way/ Mill Hill signalised junction, if the strategic model (PRTM) was ran and traffic assigned based on time and cost, the actual percentage of trips may be much lower and consequently may not offer the relief envisaged to the existing B582 / Leicester Lane junction.

Notwithstanding the LHA's concerns over the use of 2015 traffic surveys, background growth to 2026 has been assumed to only include growth from 3 sites (Para 7.2). The LHA would not accept this approach. Similarly, 2021 baseline traffic has been assumed as the 2015 surveys plus growth from these 3 sites to 2021, this is not accepted nor the 2026 baseline scenario which maintains this assumption but includes the balance of the Lubbesthorpe development and mitigation. The LHA would

encourage the applicant to reconsider these assumptions and taking account of all committed development and phasing.

Furthermore, the various assessment scenarios referred to in Para 7.8 appear to be manually derived however on the basis all 'with development' scenarios include the Enderby Relief Road, it is unclear how the redistribution of background traffic brought about by the implementation of the Enderby Relief Road could be accounted for manually. Use of the flows generated in such scenarios are therefore unlikely to be acceptable and the isolated junction models are unlikely to be relied upon. In line with the Local Plan expectation, use of a strategic transport model could be used to identify the impact of these proposals and infrastructure proposals. This approach would also identify an appropriate area of influence and necessary junction assessment."

In response to the above comments, the applicant and their highway consultants undertook further highway modelling work using Leicestershire County Council's most up-to-date strategic model (PRTM). The updated modelling results were presented in a revised Transport Assessment which were then included within the submitted Addendum of the original Environmental Statement.

Leicestershire County Council has reviewed the updated Transport Assessment and is satisfied that the baseline data is accurate and has addressed their previous concerns. National Highways are also satisfied with the data provided in the revised Transport Assessment.

On these specific matters, the County Highway Authority has commented in the following terms:-

"The application proposes a commercial development under a B8 use class (with ancillary B1) and a D1 training and education centre use class…

For the B8 development, trip generation is calculated using information from the IDI Gazeley site at Magna Park. Proposed trip rates for the development are therefore based on previous survey data from the Magna Park site in Leicestershire. With regard to D1 training and education, the TRICS database was interrogated with rates taken from surveys from comparable sites…

Development trip distribution determines the origins and destinations of the trip generation identified above. Trip distribution was adopted from existing zone (5020) which represents the Meridian Business Park located in close proximity to the proposed Enderby Hub development and covering comparable commercial land use.

Once the number (trip generation) and origin and destination (distribution) of trips has been agreed, the PRTM model is used to assign these trips onto the network. This approach has numerous advantages over a manual assessment however notably that an independent assessment is undertaken, and which takes account of all other trips on the network including those already on the network and those which will come forward over the forecast period as part of committed growth. Trips are assigned and route based on time and distance costs, the weighting of which is dependent on various metrics such as journey purpose, user class and income threshold. Crucially such factors replicate the driver behaviour and route choice observed in real life and

on which a credible and validated assessment of forecast highway impact can be based.

As might be predicted for a distribution hub located in close proximity to the Strategic Road Network (SRN) a significant proportion of trips seek to access the SRN at M1 J21. Typically, via Smith Way, Penman Way, A563 & A5460. It is also notable that a number of trips appear to choose the A563, New Parks Way route north which runs parallel to the M1 J21. Many of these trips appear to then access the A46 and so it is possible that congestion at J21 is moving these trips away from accessing the A46 via the M1 and initially routeing via M1 J21.

On the Local Road Network (LRN) trips appear to predominantly use the A47 and B4114 to/from the south, B582 and Beggars Lane / M69 Lubbesthorpe bridge to/from the west and Smith Way, A563, Narborough Road South and Soar Valley Way to/from the North & East."

<u>Highway Impacts and Mitigation</u>

As stated under the previous sub-heading, the importance and the accuracy of trip generation and trip assignment data is critical as it allows both the County Highway Authority and National Highways to identify where the likely impacts of the development are going to occur on both the local and strategic highway network.

The applicant engaged and consulted with officers from both National Highways and Leicestershire County Council's Highways when establishing the baseline data for the additional modelling work which directly helped to produce a strategic overview of the development proposal's potential impacts on both the local and strategic highway network.

Having regard to the potential impacts on Junction 21 of the M1 motorway, National Highways raised concerns following the submission of the original Transport Assessment with regards to the accuracy of the trip generation data, development traffic distribution and assignment, LinSig modelling work, safety and geotechnical aspects.

The submission of Technical Notes to National Highways in May and June 2019 sought to address these issues, which prompted the following response in August 2019 from National Highways:-

"Having reviewed these (the additional information contained within the Technical Notes), while issues regarding LinSig modelling assessments have not been resolved, we (National Highways) have undertaken our own independent modelling checks to assess the impacts of the proposed development on the SRN in the area in line with DfT's Circular 02/2013. Based on these assessments we have determined that the development is not expected to have a material impact on the operation of M1 J21."

Following the submission of the Addendum in February 2023 which removed the second access from the B4114, National Highways confirmed that their position remained unchanged from their advice issued in August 2019.

The discussion provided under the previous sub-heading identified that the County Highway Authority were not satisfied with the initial trip generation and trip assignment data which was produced under the initial transport modelling work. This is due to the previous modelling work failing to take into consideration the wider, strategic impacts on the local highway network. In addition, the previous transport modelling work was predicated on the delivery of the Enderby Relief Road as the sole measure to mitigate the impacts of the proposed logistics development.

The County Highway Authority made extensive observations on the inclusion of the proposed Enderby Relief Road as the principal mitigation measure as follows:-

"A key aspect of the DPD, Policy SA3 is delivery of the Enderby Relief Road linking the B582 at Enderby to Leicester Lane via Warren Park Way and Leicester Lane Strategic Employment Site. However, this key piece of infrastructure does not form part of the 19/0164/OUT application proposals. Instead pursued through 5 separate planning applications; one presenting an associated junction improvement scheme at the B582 / Warrens Park Way junction and two applications each for the two separate alignments of an Enderby Relief Road currently proposed.

Moreover, upon further review of the policy position in respect of the Enderby Relief Road, and associated Blaby Local Plan Delivery DPD Site Allocations assessment evidence base, it appears that there was no strategic transport modelling carried out to support the need or otherwise for an Enderby Relief Road, and the onus to carry out this strategic modelling rested with the developer.

The LHA is not therefore aware that any strategic assessment has been undertaken by the applicant to determine the strategic impact of the proposed development and Enderby Relief Road proposals on the wider transport network and as required in the Local Plan Policy detailed above.

Notwithstanding this, and given the period of time which has passed, the LHA have considered the transport assessment work submitted in support of the Enderby Hub application and have provided comments below. Given the inevitable cross-over with the Enderby Relief Road infrastructure and Blaby Local Plan Policy the LHA has included references to these as appropriate."

The County Highway Authority also raised concerns regarding the potential delivery of the proposed Enderby Relief Road, commenting that the applicant's approach presented concerns over how the proposed logistics development and the Enderby Relief Road applications will ultimately be delivered and the extent to which the Enderby Relief Road can be relied upon and obligated as part of the offsite mitigation strategy for the Enderby Hub proposals.

The County Highway Authority's concerns also queried the appropriate, secure legal mechanisms to ensure the delivery of this piece of infrastructure, noting the additional and separate assessments required to present a deliverable alignment and design for the Enderby Relief Road proposals.

Following these observations, the applicant removed the reliance of the Enderby Relief Road proposals as the principal mitigation measure from the proposed logistics

development and has undertaken a strategic transport modelling exercise in accordance with the County Highway Authority's consultation response from March 2021. Consequently, the additional transport modelling exercise has removed the proposed Enderby Relief from the model in order to identify the extent of the potential impacts of the proposed logistics development and where mitigation is needed to ease these impacts.

As such, the additional transport modelling submitted within the revised Transport Assessment accompanying the Addendum has identified the following impacts where volume to capacity increases have been experienced:-

- the B582 Blaby Road/Leicester Lane junction;
- the Leicester Lane/Smith Way junction (the proposed entrance to the Enderby Hub development);
- the entrance to Enderby Park & Ride on B4114;
- the Desford crossroads junction with the A47 in Enderby/LFW/LFE;
- the A47/Warren Lane junction in LFE.

In identifying these impacts, the County Highway Authority has made the following observations and recommendations:-

"The LHA notes the development proposal is located on a very busy part of the highway network which demonstrates significant existing congestion. The submitted reports indicate a number of junctions operating over capacity in the Baseline and 2026/2031 Do Minimum (DM) scenarios.

As the model assumes perfect driver knowledge of route choice it is therefore likely that some of the reassignment effects observed in the strategic modelling may not fully materialise in reality. As such, whilst the LHA have reviewed and interpreted the PRTM modelling results as presented, this exercise must also take due consideration of the development distribution and assignment of development trips.

Consideration of this assists in identifying development trip routeing and demand and segmenting this from the wider network impacts and redistribution effects observed in the forecast scenarios and as referenced above. An exercise of particular relevance for junctions demonstrating existing congestion and despite V/C metrics showing little change, proximity to the development site and understanding of development trip routeing identifies that these junctions may in fact be those most impacted and in need of mitigation.

Through discussion with the applicant team a robust approach to this was taken whereby as a sensitivity test the development trip distribution was manually layered on top of the with development (Do Something) scenarios to account for instances where background congestion had been displaced more than may materialise in reality. This consideration and approach was integral to the mitigation strategy developed and whereby improvements were focused on the key access routes to the proposed development and in achieving an at least nil-detriment solution to development impact scenarios. The highway mitigation strategy established therefore comprises the following improvements:-

1. *Delivery of a highway scheme of capacity enhancement at the A563 / Meridian South roundabout.*
2. *Contribution of £6.7million towards the Lubbesthorpe Way capacity enhancements.*
3. *Contribution of £121,800 to enable the upgrade of the B4114/P&R and Penman Way junctions to MOVA signal operation.*
4. *Contribution towards the LHA's Desford Crossroads scheme improvement of £263,498."*

Having regard to the above, the County Highway Authority have concluded that the impacts of the proposed development on the local and wider highway network are not severe, and are therefore not unacceptable in planning and highway terms. The County Highway Authority's position on the acceptability of this development proposal is fundamentally based on the imposition of the suggested conditions and subsequent agreement by the applicant to provide developer contributions in accordance with the County Highway Authority's request.

<u>Walking, Cycling and Sustainable Travel</u>

The site is in a location which is not only close to the strategic highway network, but is also well-located to an existing pedestrian and cycle network that surrounds the Fosse Park and Soar Valley Way area. In addition, the site is served by two existing bus services, namely the 50 Leicester to Fosse Park and X84 – Rugby to Leicester services. Narborough train station is also located approximately 1.6 miles away.

In considering the existing sustainable travel network, and in particular walking and cycling provision, officers identified a number of benefits that the development could deliver. There is a stretch of the B4114 northbound carriageway which does not have a footpath, and furthermore the existing bus stop is only accessible via a narrow grass verge.

The applicant has sought to improve pedestrian access along the B4114 and into the site by proposing enhancements to the alignment of the Fosse Way which would enable both pedestrians and cyclists to traverse the site from Blaby Road to Leicester Lane. In addition, significant enhancements are proposed along the western half (northbound carriageway) of the B4114 by providing a combined footway and cycleway which would effectively connect the footway access and bus stop at Barr Close to the Leicester Lane/B4114 junction to the north, including crossing provision as necessary across the Park and Ride access junction. The proposal also seeks to provide both pedestrian and cycleway access into the site from a dedicated access off the B4114 into the open space on the site's western extents.

A condition is proposed to require the submission of a detailed design for these enhancements to the B4114, including the provision and delivery of an open space strategy as part of a developer contribution to enable pedestrians and cyclists to access and use the open space. A further condition requiring an updated site-wide Public Transport Strategy and Framework Travel Plan is also recommended to be imposed to promote walking, cycling and sustainable travel.

Parking

The Illustrative Masterplan provides an indicative overview of a potential layout that could be delivered in the event that planning permission is approved. This includes parking provision and turning/manoeuvring spaces for private cars for employees/visitors along with dedicated parking bays and turning circles for HGVs within the yard areas that serve each logistics building. In addition, the Illustrative Masterplan identifies allocated parking spaces for wheelchair users and electric vehicles.

As the Masterplan is for illustrative purposes only, it is essential that in the event of Outline planning permission being approved, all future Reserved Matters applications must meet the design requirements detailed within the Leicestershire Highway Design Guide (LHDG).

Flood Risk and Drainage

Paragraph 167 of the NPPF states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Policy CS22 of the Core Strategy states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This includes directing development to locations at the lowest risk of flooding giving priority to land in Flood Zone 1, using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere, managing surface water run-off, and ensuring that any risk of flooding is appropriately mitigated, and the natural environment is protected.

Flood Risk from Rivers

The application site is located entirely in Flood Zone 1, with this indicating a low risk of flooding from all other sources, assessed as having a less than a 1 in 1,000-year probability of flooding (0.1% in any year). A Flood Risk Assessment has been submitted with the application as required by the NPPF due to the site area being greater than 1 hectare in size.

The Flood Risk Assessment concludes that the risk of fluvial (river) flooding is low due the application site's location in Flood Zone 1 and that the site is not at risk of tidal flooding due to the site's inland location.

Flood Risk from Surface Water

The Environment Agency Risk of Flooding from Surface Water map identifies areas in the north of the application site adjacent to Leicester Lane and St Johns of the site to be at 'Low', 'Medium' and 'High' risk. The flood risk is identified along the alignment of existing culverts and ditch courses, subsequent pooling in low points adjacent to St John's and Leicester Lane

The Flood Risk Assessment states that the hydraulic surface water modelling that contributes to the data presented in the Environment Agency's Risk of Flooding from Surface Water map does not take into account the performance and capacity of all

culverts and ditches that are present within the application site and predominantly identifies them as low points or depressions in the topography.

The Flood Risk Assessment has assessed of the capacity of the existing ditches and culverted watercourses to accommodate the surface water runoff and concludes that the culverts (that are small than their associated ditch courses) may surcharge but can convey the surface water runoff from the associated catchments without flooding during the 100year events. The assessment also concluded that the application site is not at risk of flooding during the 1 in 100 year event.

The Flood Risk Assessment highlights a known flooding incident that occurred on Leicester Lane to the north of the application site which led to parts of the site itself being affected. This incident resulted in flooding from failure of the motorway drainage system. The potential flooding of Leicester Lane is acknowledged as a potential risk owing to its low lying topography compared with the elevated ground levels of the adjacent highway. As a means of mitigating this potential risk, some of the proposed attenuation and open space to serve the proposed development is to be sited in the location identified as being at risk from surface water flooding.

In addition to the above, it is also acknowledged that part of the application site adjacent to the northern extents of the Fosse Way, is prone to gathering water during heavy rainfall. Locally, the body of water that forms in this location is referred to as “Enderby Lake” and occurs due to the combined effect of the lower-lying ground levels and the clay-like nature of the soil which ultimately provides ideal conditions for precipitation to accumulate in a specific area for a prolonged period of time due to the slower rate of infiltration into the ground.

This is entirely consistent with the findings of the Lead Local Flood Authority (LLFA), who state in their consultation response that although there are some parts of the site to the north (and east) that are at high and medium risk to surface water flooding, the site is entirely located within Flood Zone 1 and is considered to be at low risk of fluvial flooding, with the majority of the site shown to be at low risk of surface water flooding. Areas identified for site access are proposed at these high risk areas of surface water flooding, however, mitigation is proposed in this location to reduce these localised impacts.

Having regard to the proposed mitigation schemes, which includes the provision of swales and attenuation ponds, surface water flooding is not now considered to be a significant risk at this site, with the LLFA commenting that the proposed development is considered to be acceptable, subject to the imposition of conditions requiring a surface water drainage scheme to be submitted and implemented, along with the submission of details requiring details in relation to the long-term maintenance of the surface water drainage system. The submitted Addendum has not resulted in any discernible changes from a flood risk perspective and as such the LLFA have not made any additional comments from their previous consultation response.

<u>Surface Water Drainage</u>

One of the effects resulting from built development is that the increase in ‘hard’ surfaces can typically reduce the permeability of a site which will consequently change

how the site responds to rainfall. Therefore, a drainage strategy is required to ensure that the surface water runoff regime is managed appropriately and that the proposed development does not increase flood risk on the site and/or to surrounding areas.

The National Planning Practice Guidance states that the types of sustainable drainage system which may be appropriate to consider will depend on the proposed development, its location and the site's ground conditions. It states that where possible, surface water should be discharged according to the following hierarchy of drainage options:

1. Into the ground (infiltration);
2. To a surface water body;
3. To a surface water sewer, highway drain, or another drainage system;
4. To a combined sewer.

The Flood Risk Assessment identifies that infiltration is unlikely to be feasible across the application site due to the clay like nature of the ground profile. On this basis, Sustainable Urban Drainage Systems (SuDS) in the form of attenuation basins are proposed to be used.

Attenuation basins are generally described as depressions in the surface designed to store water and, where the ground conditions permit it, allow discharge to the ground via infiltration. For this outline design there are five basins proposed where no infiltration has been assumed until infiltration testing has
been completed, along with two subterranean storage tanks with a capacity of 21,660 cubic metres. It is understood that two of the attenuation features adjacent to the B4114 are designed as attenuation ponds with permanent water to provide dilution of pollutants.

The Flood Risk Assessment states that any remaining attenuation required would be provided across the site in a combination of SuDs techniques. Additionally, these SuDs features would provide source control and pre-treatment options. The most suitable forms of SUDS to be considered for this site would be:

- Infiltration (soakaways where possible) - Subject to confirmation from soakaway tests;
- Provision of oversized pipes where appropriate to provide some additional attenuation;
- Underground storage in shared spaces where possible;
- Swales;
- Filter strips; and
- Planting within the attenuation features.

<u>Foul Water Drainage</u>

The Flood Risk Assessment indicates that it is proposed to discharge foul sewerage from the proposed development into the public Severn Trent Water sewerage system within the B4114 (St Johns) adjacent to the eastern boundary of the site, subject to approval from Severn Trent Water.

A Sewer Capacity Assessment in 2016 determined that the proposed discharge location was appropriate and that there was only low impact on sewer flooding and combined sewer overflows, however, there is high impact on the sewerage pumping station at Jubilee Park in Enderby and concluded that capacity improvements are required. Severn Trent also commented that a sewer modelling study may be required to determine the impact that the proposed development will have on the existing system and if flows can be accommodated. The applicant has agreed for this modelling work to be undertaken at the detailed design stage, which would be secured via the imposition of a planning condition.

Ecology and Biodiversity

Policy CS19 of the Core Strategy has the strategic objective of protecting the important areas of the District's natural environment (species and habitats), landscape and ecology and to improve biodiversity, wildlife habitats and corridors through the design of new developments and the management of existing areas.

The application site currently comprises largely of fields in arable use with a small pocket of lowland mixed deciduous woodland along the western boundary of the M1 Motorway. The site also includes a number of hedgerows with field ditches. A small pond located to the west of the alignment of the Fosse Way regularly accumulates standing water during heavy rainfall, but also dries out during periods of dry weather.

There are no international statutory wildlife designations within 10km of the site. Whilst there are also no statutory designations covering any part of the site, it is acknowledged that there are three statutory designated sites of national importance all within 1 kilometre. These include Enderby Warren Quarry SSSI approximately 550 metres to the north-west; Glen Hills Local Nature Reserve some 790 metres to the east of the site; and Narborough Bog SSSI some 980 metres to the south of the site. It is understood that all non-statutory designations are remote from the application site and isolated by a busy local and strategic highway network.

An Ecological Appraisal of the site's habitat potential for protected and non-protected species has been prepared, informed by investigative site surveys. The Ecological Appraisal forms part of the appendices of the Environmental Statement submitted in 2019. Updated surveys were carried out to inform the Addendum which was submitted in 2023. The following subheadings below will address the proposal's impacts on the various species of flora and fauna covered in the Ecological Appraisal.

<u>Amphibians</u>

Several water bodies and field boundary ditches within the application site and within 500m of its boundary were investigated for the initial Environmental Statement to check their suitability for providing habitats for Great crested Newts.

The submitted Ecological Appraisal concluded that the majority of the site is considered to be unsuitable terrestrial habitat for Great Crested Newts due to the predominance of intensively managed arable habitats, with other potential habitats outside of the application site being isolated or cut-off by major highways that would act as barriers to movement.

One pond identified as P4, located 10m from the site boundary within the Park and Ride site was considered to have excellent habitat suitability for Great Crested Newts, however, but its isolation from other habitats would prevent the pond from providing a source of colonisation.

It was considered that all ponds within and immediately adjacent to the Site were considered extremely unlikely to support Great Crested Newts either due to their sub-optimal nature, falling below the minimum suitability for survey according to the Leicestershire Great Crested Newt Survey Protocol or due to their recent creation and isolation from potential sources of colonisation since creation.

Following the submission of the Addendum to the Environmental Statement, the updated survey work proved to be consistent with the previous assessment of the site and adjoining land. A new water body outside of the application site had been formed as a form of surface water attenuation at Barr Close, identified as P6. The assessment concluded that P6 was considered extremely unlikely to support Great Crested Newts, due to its sub-optimal habitat potential owing to the pond being dry during the breeding season.

The contents of the Environmental Statement and Addendum were considered to be acceptable by Leicestershire County Council's Planning Ecologist. No other amphibians were identified as having a present on the site during the investigative survey work. Consequently, it is considered that the proposed development would not have an adverse impact on Great Crested Newts or other amphibians and as such, it is not considered appropriate or necessary to provide mitigation strategies.

In the event that planning permission is granted and there is a delay in submitting a Reserved Matters application or implementing the development, a condition is proposed requiring further survey work in relation to amphibians and Great Crested Newts.

<u>Badgers</u>

The Ecological Appraisal and Environmental Statement identifies the presence of badger setts beyond the application site that could be impacted on a short-term basis. However, surveys of the setts did not indicate any evidence of recent activity or occupation. Therefore, the likely impacts are not considered to be significant.

The Ecological Appraisal acknowledges that there has been badger activity locally and there could be some potential to excavate and/or reoccupy the setts quickly. The updated surveys in 2022 to inform the Addendum indicated that although the setts had experienced limited activity since the previous surveys were carried out, there were signs that one of the setts had been used intermittently in the intervening period since the submission of the Environmental Statement.

On this basis, a series of badger mitigation measures are proposed and would include the submission of a pre-commencement badger survey. Having sought advice from the County Ecologist, officers consider that this would be entirely appropriate to secure via a condition. Other recommendations for mitigation included within the

Environmental Statement include the implementation of a badger sett buffer zone and the submission of a Construction Environmental Management Plan to include measures to prevent harm. The scheme also includes habitat enhancement for foraging, including a limited and appropriate external lighting strategy.

Although a holding objection was initially issued by the County Ecologist, this has subsequently been removed following the submission of a detailed badger survey in 2019. The contents of the Ecological Appraisal and the Addendum in respect of badgers are now considered to be acceptable by Leicestershire County Council's Planning Ecologist.

Bats

The Ecological Appraisal submitted in support of the Environmental Statement indicated that the field compartments were considered to be of low value for foraging bats due to the high levels of management and correspondingly low invertebrate densities. The role of the existing hedgerows as foraging habitats for bats is also considered to be low due to their location immediately next to the M1 motorway and established development in the surrounding area, all of which is well lit.

The Ecological Appraisal and Environmental Statement conclude that as a result of the poor quality of habitats in addition to the application site's isolation and surrounding context, the site is not considered to be of high value for bats. In addition, it is acknowledged that higher quality foraging habitats exist to the north and to the east along the River Soar valley, although bat records are infrequent in the local area. This is consistent with the evidence collected during the determination of the application for the adjacent Park and Ride development, where over two survey visits only a single bat, a common pipistrelle was recorded.

The contents of the Environmental Statement and Addendum in respect of bats were considered to be acceptable by Leicestershire County Council's Planning Ecologist and it is considered that this level of impact is not sufficient to merit refusal of the proposed development on ecological grounds. A condition is proposed in order to secure a further assessment of the trees on the application site to be removed. In addition, details of any external lighting scheme are to be submitted prior to installation.

Birds

The proposed development will result in the cessation of farming activities on the site and the permanent and total loss of all farmland habitats present, which the investigative surveys have identified are being used for foraging and nesting birds. In addition, the hedgerows and trees within and surrounding the site were assessed as being suitable to support nesting birds. However, due to the widespread nature of those species thought likely to utilise habitats within the application site any significant impact on any wider population is considered reasonably unlikely.

The Environmental Statement confirms that the significance of the impact would be unlikely to result in a major reduction in the species richness of the site, although a reduction in the local population size of many of the species considered to be farmland

specialists could be expected. As such, the proposed development is considered to have a minor adverse impact at a local level on nesting and foraging birds. Further surveys of the site in preparation of the Addendum are consistent with the original surveys.

The contents of the Environmental Statement and Addendum in respect of birds were considered to be acceptable by Leicestershire County Council's Planning Ecologist and it is considered that this level of impact is not sufficient to merit refusal of the proposed development on ecological grounds given that there are a package of mitigation measures to offset and reduce these impacts. Conditions are proposed regarding site clearance outside of the bird nesting season (March to August) in order to avoid disturbance to breeding birds. This would include any form of vegetation clearance, hedgerow/tree removal and soil stripping.

In addition, if any site preparation works are proposed within the bird breeding season, a condition is recommended to be imposed requiring further survey work to be undertaken by a suitably experienced or qualified ecologist.

It is understood that the proposed development would lead to a number of hedgerows being removed, but it is acknowledged that some hedgerows along the alignment of the Fosse Way and the northern site boundary with Leicester Lane are intended to be retained. In addition, it is also acknowledged that along with the created habitats detailed in the Proposed Habitat Plans that were submitted as part of the BNG calculations, new and retained planting on the site will help to provide compensatory habitats and enhancements which will enable a variety of bird species to nest within the site. It is considered that the large areas of arable farmland to the west of the M1 motorway will not lead to an adverse loss of farmland for ground nesting farmland birds.

<u>Reptiles</u>

No reptiles have been found at the site during the first and second wave of investigative survey work, which would suggest that these species are likely absent from on-site habitats. This is consistent with the surveys undertaken for the site of the Park and Ride in 2006. It is therefore not considered appropriate or necessary to provide reptile mitigation.

In the event that planning permission is granted and there is a delay in submitting a Reserved Matters application or implementing the development, a condition is proposed requiring further survey work in relation to reptiles.

<u>Otter and Water Vole</u>

The application site encompasses a small number of wet ditches which provide limited potential for otter and water vole given their largely seasonal wet and suboptimal nature. These were inspected and no evidence of otter and water vole were identified during the initial and subsequently later surveys for the Environmental Statement and the Addendum. Due to the site's isolation due to the existing highway network, it is considered that the application site does not provide conservation value for these

species. It is therefore not considered appropriate or necessary to provide mitigation for otters and water voles.

White Clawed Crayfish

The application site contains no permanent waterbodies which would help to support habitats for crayfish. The waterbodies to the south of the site were considered to be sub-optimal and are considered to be of no value for crayfish. It is acknowledged that a large pool to the north of the application site to the north of Leicester Lane could have the potential to be suitable for crayfish, however, the proposed development will not have an impact on this potential habitat. It is therefore not considered appropriate or necessary to provide mitigation for crayfish.

Trees and Hedgerows

The Ecological Appraisal identifies 13 hedgerows within or bordering the application site and supported native species. None of the hedgerows are considered important under the wildlife and landscape criteria of the Hedgerow Regulations 1997, but due to the high percentage of native species they qualify as Habitats of Principle Importance under the Natural Environment and Communities Act 2006.

There are few mature trees within the application site boundary, however there are several tree belts that lie immediately outside of the application site adjacent to boundary hedgerows along the northern, southern, western and eastern boundaries. A small block of native broad-leaved woodland named 'Johnstone Spinney' is located along the western site boundary next to the embankment of the M1 motorway. The woodland, being of apparently secondary origin with only a limited diversity of ground flora and associated woodland species, is not considered to be of high nature conservation interest. However, it is likely to provide a breeding and foraging resource and shelter for a range of common and widespread woodland species.

Approximately 1,970 metres of existing hedgerow are likely to be lost as a result of the development proposals due to the implementation of development plots and footpaths. In addition, one mature tree within a hedgerow is to be felled. A substantial length of hedgerow running along the alignment of the Fosse Way is to be retained, including the block of native woodland along the western site boundary. As a result of a combined footway/cycleway being provided along the site's eastern boundary to improve existing walking and cycling links in the area, the eastern boundary hedgerow is to be removed along with all trees situated within the grass verge on highway land.

To compensate for these losses, the proposed development includes a suite of enhancement measures in the form of the following:-

- New native hedgerows to replace the majority of those that are lost with the aim of providing continuous hedgerows at least 3-4m tall and wide;
- New woodland planting along the western and southern edges of the development augmenting existing woodlands and increasing connectivity;
- Native species will be used in accordance with targets for net gain;

- Small areas of dense vegetation such as scrub will be planted around attenuation facilities to deter flocks of winter wildfowl and provide habitat for smaller species;
- The attenuation facilities/swales to be created with diverse landforms;
- Species-rich hedgerow planting, with trees where appropriate;
- Biodiverse neutral grassland seed mixes;

The above would be secured not only as part of the landscaping requirements via the submission of a Reserved Matters application, but would also be subject to a conditional requirement for the provision of a Biodiversity Management Plan as well as a Landscape and Environmental Management Plan (LEMP) at the detailed design stage, as requested by the County Ecologist.

Biodiversity Net Gain (BNG)

Biodiversity Net Gain (BNG) is a strategy to develop land and contribute to the recovery of nature. It is a way of ensuring that habitats for wildlife are in a better state after development than before. The Environment Act 2021 made provisions for all planning permissions in England (with a few exemptions) to deliver at least 10% biodiversity net gain. The habitats can be delivered on-site, off-site or via statutory biodiversity credits. This mandatory duty will, however, only apply from November 2023. Biodiversity Net Gain will be measured using Defra's biodiversity metric and habitats will need to be secured for at least 30 years.

In the meantime, whilst 10% BNG is not yet a statutory requirement, BNG is already required through national policy. Paragraph 174 of the NPPF refers to "minimising impacts on and providing net gains for biodiversity". Whist the Development Plan for Blaby District does not currently include any policies requiring BNG to be provided, the NPPF is still a material consideration in decision making, and so the District Planning Authority has already begun to require developers to demonstrate how BNG can be provided, particularly in relation to major planning applications.

The baseline conditions of the application site consists primarily of agricultural land in arable cultivation, with the existing level and quality of habitats not being considered to be strategically significant in relation to ecology.

The applicant has provided plans in relation to baseline habitats which includes their condition and distinctiveness without development occurring. In addition, plans have also been provided to indicate areas where habitats would be retained and proposed within the site, including a plan to illustrate the condition and distinctiveness of the habitats if the development occurs and the ecological intervention is implemented as proposed. As the layout is reserved for future consideration, this does not form an approved plan but rather demonstrates an example of how BNG could be achieved on the site.

Alongside these plans, a BNG calculation using Metric 3.1 has been provided. The site calculation demonstrates that a net gain of 10.35% of habitat units and 6.81% of hedgerow units can be provided, if the site is developed in line with the Proposed Habitats Plan. In addition, the proposal would also include the formation of river units

with the inclusion of attenuation ponds and water bodies, resulting in a 100% increase in river units.

In their consultation response, Leicestershire County Council's Ecologist has confirmed that the results of the BNG calculation demonstrating that BNG is achievable on the site in relation to the Outline application is acceptable. Conditions are to be imposed at the request of the County Ecologist to require further BNG calculations as part of the submission for Reserved Matters, along with the submission of a 30-year Landscape and Ecological Management Plan (LEMP) to demonstrate how the net gain will be achieved.

Landscape and Visual Impact

The NPPF places an onus on the planning system to perform a role in relation to the environment that 'contributes to the protection and enhancement of our natural, built and historic environment'. This underpins the strategic guidance set out in the NPPF in relation to landscape and visual matters. Section 12 of the NPPF ('achieving well designed places') aims to ensure that developments are 'visually attractive', are sympathetic to local character (including the surrounding built environment and landscape setting) and to establish and maintain a strong sense of place. It also makes specific reference to the use of tree planting which can make an important contribution to the character and quality of urban environments. Section 15 of the NPPF ('conserving and enhancing the natural environment') states that decisions should protect and enhance existing valued landscapes and also recognise the intrinsic character and beauty of the countryside.

Various local planning policies are relevant to landscape and visual matters, including CS14 (Green Infrastructure), CS15 (Open space, sport and recreation), CS16 (Green Wedges) and CS18 (Countryside) of the Core Strategy. The site allocation policy, Policy SA3 of the Delivery DPD, means the site is no longer designated as 'Green Wedge' but is within the 'Settlement Boundaries' of Enderby and on the fringes of Key Employment Sites and the Motorways Retail Area of Fosse Park.

The application site is located within the Leicestershire Vales (NCA94) National Character Area. It is part of the 'Upper Soar' LCA within the Leicester, Leicestershire and Rutland Landscape and Woodland Strategy. At the time of submission in 2019, the application site was located within the 'Sence and Soar Floodplain' (LCA13) in the Blaby District Landscape Character Assessment (2008).

However, since the submission of this Outline planning application, the Blaby District Landscape and Settlement Character Assessment was produced in 2020 and the site now lies within an area defined as Lubbesthorpe Agricultural Parkland (LCA10).

<u>National Character Assessment</u>

Within the National Character Assessment, the key characteristics of the Leicestershire Vales NCA are:

- An open landscape of gentle clay ridges and valleys with occasional moderately steep scarp slopes.

- Overall visual uniformity to the landscape and settlement pattern;
- Land use characterised by a mixture of pasture and arable agriculture;
- Distinctive river valley of the Soar and Swift with flat flood plains;
- Woodland character derived largely from spinneys and copses on the ridges and undulating land, and waterside and hedgerow trees and hedges;
- Diverse levels of tranquillity with contrasts between busy urban and deeply rural parts. Large settlements dominate the open character of the landscape an are often visually dominant;
- Frequent towns and villages characterised by red brick buildings and stone buildings;
- Frequent imposing spired churches.

Leicester, Leicestershire and Rutland Landscape Strategy

The Leicester, Leicestershire and Rutland Landscape and Woodland Strategy indicates that the 'Upper Soar' Landscape Character Area has the following characteristics:

- Large villages with evidence of industrial past;
- Urban influences from larger settlements and Leicester;
- Mixed agriculture – arable emphasis to west, pasture to east;
- Little woodland;
- Local rock outcrops and former quarries;
- River Soar a significant feature through built up area.

The document also sets out guidelines to achieve an enhancement of landscapes within this character area. This includes enhancing existing woodland through improved management, increasing woodland cover in small and medium sized blocks, and strengthening the hedgerow network through improved management and new planting.

Blaby District Landscape and Settlement Character Assessment

At the time of submission, the application site was described in Blaby Landscape and Settlement Character Assessment of 2008 (BDLSCA) as the Sence and Soar Floodplain. This area comprises a large and varied character area which follows the narrow floodplain of the Rivers Sence and Soar respectively. These rivers flow between the settlements to the south-west of Leicester, including Enderby, Blaby, Glen Parva, Narborough, Littlethorpe and Braunstone Town.

The character area is a low-intensity managed landscape with a naturalistic feel shaped by riparian vegetation and well-developed hedgerows, with the edges of the character area defined by urban development.

The study describes various development pressures for the LCA. Those most relevant to the site and the proposed development include:

- Loss of field boundary vegetation within the south-west of the character area reduces the intimate and enclosed scale of the character area.

- Loss of waterside vegetation, copses and vegetation along urban edges would significantly alter the character of this area, potentially opening views of industry and the urban edge and reducing the rural character of the area.
- Pressure for new developments around settlement edges increasing urbanising influences in the landscape.
- Expansion would also increase the risk of coalescence of settlements surrounding the character area.
- Increasing pressures on the undeveloped areas including levels of traffic reducing tranquillity and demand for countryside access.
- Uncertain future for agriculture (including levels of funding support and market prices for livestock), further threatening the viability of the remaining farms.
- Loss of mature trees would have a severe impact on the wooded character of the LCA.

The BDLSCA also sets out guidance and opportunities for the LCA which includes the following which would be relevant to the application site and proposed development:-

- Promote and enhance woodland planting (native species) along the periphery of the character area to soften the appearance of the urban edge.
- Provide better connection between areas of existing woodland through localised planting to ensure better interconnectivity between existing habitats.
- Protect existing hedgerows through appropriate management to ensure that further fragmentation is prevented and restore current 'gappy' hedgerows.
- Conserve and enhance the existing wetland habitats through the creation of new wetlands, reed beds and scrapes.
- Continue the sensitive management of the recreational areas for the benefit of nature conservation, designing new open spaces to reflect the naturalistic characteristics of other open spaces within the area.
- Seek to link up the public rights of way network.

The updated BDLSCA of 2020 has re-categorised the location of the application site to now fall within the Lubbesthorpe Agricultural Parkland LCA. This re-categorisation has occurred due to the site's landscape characteristics being associated more towards the character of the Lubbesthorpe Agricultural Parkland rather than the Sence and Soar Floodplain.

The BDLSCA acknowledges that the New Lubbesthorpe developments and the application site (allocated for employment development) lie within the LCA. The character of the area is described in the following terms:

"This LCA is located towards the north of Blaby District. It is an agricultural landscape largely enclosed by built form, lying between the settlements of Leicester Forest East to the north, Enderby to the south and Braunstone to the east. Topography is gently undulating and overlain by mixed agricultural land uses. Significant blocks of woodland, the parkland setting of Enderby Hall and a sparse network of roads combine to make this a distinctly rural landscape, despite the urban influences from the edges of this LCA and the presence of the M69 and M1.

This LCA is fragmented by the M1 and M69, with the noise and movement of traffic exerting a strong influence on the landscape. The north west of the character area retains a more rural character and the influence of major roads on the landscape is reduced. The building of New Lubbesthorpe commenced in 2014 with the new town situated in the north of the character area. Despite its urban surroundings and influences, the primary land use is still agriculture."

The study describes various development pressures for the LCA. Those most relevant to the site and the proposed development include:

- Plans for the urban extension of New Lubbesthorpe and its associated strategic employment site will dramatically alter the character of the landscape due to a significant change in land use for much of the area, with the construction of significant amounts of residential and employment development. The development of the employment land allocation to the west of the B4114 would also alter views and landscape character.
- In addition to the built development, New Lubbesthorpe also aims to include 325 acres of new parklands, with over half of the site planned to be open space. The plans also seek to conserve and enhance wildlife habitats.
- Knock-on effects from an increase in population in the LCA, including levels of traffic impacting on tranquillity and more demand for countryside access.
- Uncertain future for agriculture (including levels of funding support and market prices for livestock), potentially leading to changes in management or land use.
- Further diversification of land uses to non-agricultural enterprises, with associated loss of traditional landscape features such as the remaining hedgerow network and in-field ponds.
- Already sparse hedgerow trees and mature trees such as those in the parkland around Enderby Hall may become more susceptible to damage from more frequent and intense storm events as a result of climate change. The remaining stock will need replacing in the coming years to maintain their presence as key landscape features in the longer term.

The site is not included in any landscape related designations and no statutory or local landscape designations apply. The BDLSCA study concludes that the LCA is of 'Medium' sensitivity to both small-scale commercial (E and B2) and large-scale commercial development (warehousing – B8) use categories.

<u>Landscape Visual Impact Assessment</u>

The developer has commissioned a Landscape and Visual Impact Assessment to consider the landscape character at a local level. Photographs taken from 16 different viewpoints within the vicinity of the site were submitted as part of the assessment and your Officers consider that these are representative of the visual receptors in the area, illustrating numerous views of the site in the context of its surrounding landscape.

The assessment concludes that there would be a slight reduction in local effects due to the removal of the second access road from the B4114 and the extension of the public open space area within the eastern part of the application site. Given the localised nature of these changes, it is considered that these would not result in any changes to the levels of landscape effects assessed in the 2019 Environmental

Statement and would remain as ‘Slight-Moderate’, which is not considered to be significant in landscape visual impacts terms.

The proposed development will lead to some change with noticeable effects upon public highways, particularly those that border the site. It should also be noted that views from all public highways and roads will be of a transient nature and as such are considered to be of medium sensitivity. In addition, there are a number of designated Public Rights of Way that lie within the application site and its vicinity. It is considered that the receptors (i.e. walkers etc) using public rights of way would be of high sensitivity. Whilst some of the views from public rights of way would be ‘Very Substantial Adverse’ in nature, in the case of the Fosse Way this is considered to be unavoidable due to its location within the application site itself, even with mitigation. That is not to say that these impacts are unacceptable, as views from other rights of way in the vicinity of the site are considered to be ‘Very Substantial Adverse’ during construction, reducing to ‘Substantial Adverse’ upon completion, to either ‘Moderate, Slight or Negligible Adverse’ following maturity of the proposed planting scheme.

The assessment also takes into consideration the potential views and effects experienced from residential properties that are located adjacent to the application site. It is considered that views of the proposed development would be available from properties at St Johns, Old Church Road, Barr Close and Blaby Road in Enderby. In terms of the level of sensitivity these views would be, views from ground floor windows in these properties would be highly sensitive, with views from upper floor windows being of medium sensitivity.

The assessment concludes that a number of properties along St John, Old Church Road and Barr Close would experience ‘Very Substantial Adverse’ impacts during the construction phase, but these impacts would reduce to ‘Substantial Adverse’ upon completion for occupiers at St Johns and Old Church Road, and ‘Slight Adverse’ in the case of residents at Barr Close. The visual impacts would reduce further to ‘Moderate Adverse’ following maturity of the landscaping scheme at approximately 10 years post-development, and would continue to reduce further as the planting matures and increases in height.

In the case of properties on Blaby Road to the south of the Site, residents would experience partially screened views of the proposed development whereby the effects would be ‘Slight Moderate Adverse’ during and post construction reducing to ‘Negligible Adverse’ following maturity of the buffer planting. Properties located on Blaby Road on the edge of Enderby would have views of the proposed development from ground floor windows, albeit partially screened by intervening vegetation. In this instance, the magnitude of change is low, and the effect on receptors during construction would be ‘Moderate Adverse’ reducing to ‘Negligible Adverse’ upon completion. Following maturity of the intervening vegetation, the effects would reduce further to Nil.

<u>Landscape Strategy</u>

The Environmental Statement and the Addendum acknowledge the effects that are likely to be experienced as a consequence of the proposed development. There is no escaping the principle that the development will be seen and experienced from

numerous vantage points and the level of effects will vary from the time of construction to completion and the maturity of the planting scheme. It is also acknowledged that from certain aspects, the proposed development will be more noticeable in the short to medium-term due to the removal of vegetation from the eastern boundary, including the hedgerows within the site.

However, the resulting development does propose a package of mitigation in the form of structural landscaping, including advanced planting and bund construction along the most sensitive boundaries. In addition, mitigation is being sought by design by setting buildings back from prominent highways and providing areas of open space along the eastern and northern boundaries along with corridors of tree planting within the site in order to present a 'fair face' where the site and buildings address the public realm.

Given that the application is for Outline permission, with layout, scale, appearance and landscaping reserved at this stage, a Biodiversity Management Plan as well as a Landscape and Environmental Management Plan (LEMP) will be secured via condition for submission at the detailed design stage to ensure that those elements of the landscape strategy which avoid any detrimental visual or landscape impact are implemented accordingly.

Design Code

The NPPF places important emphasis on achieving well-designed places, stating that "the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve". High quality design is also central to the Development Plan, with Policy CS2 seeking to secure a high-quality environment, with development respecting local character and contributing to creating places of a high architectural and urban design quality, contributing to a better quality of life.

Paragraph 3.33 of the preamble to Policy SA3 states that whilst no size restrictions have been applied to the buildings in order to allow the site to respond to market demands in a flexible manner, it also states that any application will need to demonstrate that the siting, design, scale and massing of the buildings would not result in unacceptable adverse impacts on the landscape or residential amenity. These factors are considered to be particularly important in the case of 'high bay' warehouse buildings.

Whilst the planning application is in outline form at this stage and therefore the layout, scale, appearance of individual buildings and landscaping will be agreed as part of future reserved matters application, principles in relation to design standards can be agreed at this early stage using design coding. This enables certain rules and parameters to be set to guide future development. This is particularly important in the case of a phased development such as this where different phases or parcels may be undertaken by different developers. Having a Design Code in place therefore ensures that the same design principles are followed across the whole development.

Whilst an Illustrative Masterplan and Parameters Plan have been submitted for consideration to give an impression of building footprints and heights, it is considered

that a comprehensive approach to the site's design is needed prior to the submission of any Reserved Matters application to ensure that the principles of Policy SA3 are upheld, and the development is designed in a respectful manner that is appropriate to its context. The submission of a Design Code is to be secured via condition, in the event of approval being granted.

Open Space

Given that the proposed development is for commercial purposes and not for residential, there are no requirements for the provision of on-site or off-site open space in accordance with the Planning Obligations and Developer Contributions Supplementary Planning Guidance (2010). However, given the size of the application site and the proposal's impacts on existing hedgerows, it is considered that there are opportunities to provide some form of public open space that could enhance its appearance, connectivity and usage, for the benefit of the site's employees and local residents.

It is acknowledged that the provision of a shared footway and cycleway along the frontage of the B4114 which will link the footways at Barr Close with the footways to the north beyond the Enderby Park and Ride would result in the removal of significant lengths of hedgerow along the B4114. This route will enhance the existing level of pedestrian and cycle routes, effectively linking the residential limits of Enderby with the wider urban area of Fosse Park and beyond.

It is also envisaged that the provision of this combined route will increase connectivity into the application site, providing points of access and egress to the commercial uses which will occupy this allocated site, thus promoting the use of sustainable modes of transport along with reducing the need to travel by single occupancy vehicle.

Although the application is for Outline permission with landscaping reserved at this stage, the Illustrative Masterplan indicates large areas of open space immediately to the west of the B4114 boundary. The Masterplan identifies areas of grassland, planting, attenuation ponds along with footways and cycleways within the far eastern extents of the site which would link up with the internal footways and roads within the site itself.

In the event of approval being granted, the provision of public open space on the site would make a positive contribution to the character and appearance of the area,and would provide a welcome form of localised amenity space for employees of the employment development as well as members of the public who will potentially use the training facility or live locally. Whilst the provision of the land for open space is not a mandatory requirement, the enhancements are to be secured via the submission of an open space strategy along with an on-site open space management plan/scheme as part of a developer contribution to ensure a high quality designed space that is properly maintained during the lifetime of the development.

Environmental Impacts

This section deals with other environmental impacts including noise and light which may impact on the proposed development. Paragraph 185 of the NPPF states that

planning decisions should ensure that new development is appropriate for its location, including limiting the impact of light pollution from artificial light on local amenity, and avoiding noise giving rise to significant adverse impacts on health and quality of life.

Paragraph 174 states that planning decisions should contribute to and enhance the natural and local environment by preventing new development from contributing to or being put at unacceptable risk from, or being adversely affected by, issues including noise pollution.

Air Quality

Paragraph 174 of the NPPF states that planning decisions should contribute to and enhance the natural and local environment by (inter alia) *"preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability."* It states that *"development should, wherever possible, help to improve local environmental conditions such as air quality".*

Paragraph 186 of the NPPF states *"Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. So far as possible these opportunities should be considered at the plan making stage, to ensure a strategic approach and limit the need for issues to be reconsidered when determining individual applications. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan."*

Policy DM13 of the Blaby Delivery DPD states that *"development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, land stability and pollution (water, air, noise, light and soils) can be satisfactorily mitigated".* It sets out circumstances where development proposal will be supported if they are accompanied by a detailed investigation of the issues and appropriate mitigation measures are identified to avoid adverse impacts on the site or adjacent areas. This includes development close to or within an air quality management area or key transport corridors that may be affected by air quality.

Air pollution is a complex mix of particles and gases of both natural and human origin. Particulate matter (PM) and nitrogen dioxide (NO2) are both major components of urban air pollution. The main sources of man-made PM are the combustion of fuels and other physical processes such as tyre and brake wear. PM is often classified according to the size of particles as follows:

- Coarse particles (PM10 particles that are less than 10 microns in diameter)
- Fine particles (PM2.5 particles that are less than 2.5 microns in diameter)

Blaby District Council has five Air Quality Management Areas (AQMAs) where the annual mean concentrations of nitrogen dioxide exceed the national air quality strategy

objectives. The AQMAs are principally associated with road transport emissions along the main routes through Blaby District, most notably the M1, A5460, A563 and A47 but also including the B4114 and B582.

The site is not located within an AQMA, but it is acknowledged that Enderby has two AQMAs, with AQMA 2 (M1 Corridor in Enderby and Narborough) being the closest in location terms some 750 metres to the south of the application site. AQMA 6 (Mill Hill) is located approximately 850 metres to the west of the application site as the crow flies. It is notable that both AQMA2 and AQMA6 have previously been declared for exceedance of the annual mean objective for NO2. It is noted that annual recording since 2019 indicates that concentrations of NO2 within these AQMAs have generally reduced, potentially due to the impact of the Covid-19 pandemic.

The Environmental Statement and subsequent Addendum has been accompanied with an Air Quality Assessment and considers the impacts on air quality at a number of existing sensitive receptors which have been chosen to represent the 'worst case scenarios', which are typically receptors close to busy roads or junctions. In particular, the assessment considers the likely significance effects of dust and fine particulate matter associated with the construction phase and road traffic emissions associated with the operational phase.

During construction, the main potential air quality impacts are the generation of dust from on-site activities and increases in NO2 and PM10 concentrations from plant and road vehicles. The methodology of the Air Quality Assessment confirms that the assessment has been undertaken in accordance with the Institute of Air Quality Management's 'Guidance on the assessment of dust from demolition and construction' 2016 guidance (IAQM guidance).

For the construction phase, the IAQM guidance states that assessment will normally be required if there are human sensitive receptors within 350 metres of the site boundary, ecological receptors within 50 metres of the site boundary, and/or within 50 metres of the routes used by construction vehicles, up to 500 metres from the site entrances. In this scenario, the sensitive receptors identified in this assessment are located within 350 metres in residential areas off Leicester Road, St Johns, Blaby Road, Hall Walk, Leicester Lane, High Street, Mill Hill, Harolds Lane, Seine Lane and the Bridleway off Warren Park Way in Enderby, Charnwood Drive in Leicester Forest East, Enderby Road in Whetstone and the junction of Lutterworth Road/Soar Valley Way in Glen Parva.

In the absence of mitigation being proposed, the proposed development would result in 'Medium Risk' for dust soiling effects during earthworks and construction, and 'High Risk' for trackout (the movement of dust and dirt from a construction site onto the public road network), however, these outputs only pose a 'Low Risk' to human health. Nevertheless, given the risk from dust, site specific mitigation measures are required to ensure that any potential impacts arising from the construction phase are reduced and will not lead to significant impacts.

A Dust Mitigation Plan will be required as a relevant chapter in a Site and Traffic Construction Management Plan which will be secured via condition, which will set out practical measures as part of best working practice. Examples of mitigation

recommendations are included within paragraph 9.6.5 of the Environmental Statement for the construction phase and include measures such as (but not limited to) site management, sheeted deliveries, limiting vehicle speeds on site, dampening down and water-assisted dust sweepers on the access and local roads. The Environmental Statement concludes that, with the implementation of the identified mitigation, there will be no significant adverse effects in terms of air quality during the construction phase.

For the operational phase of the development, air quality is most likely to be affected through increases in vehicular traffic in connection with the development. The Air Quality Assessment also considers the potential effect of development-generated vehicles on air quality at the prescribed sensitive receptor locations. Air dispersion modelling has been carried out to estimate pollutant concentrations, due to road traffic emissions (including committed developments as part of the future baselines), for five assessment scenarios as follows:

- Scenario 1: 2021 Verification and Base Year, the most recent year for which traffic flow information, local monitored pollution data and meteorological data is available;
- Scenario 2: 2026 Opening Year, without the Proposed Development in place;
- Scenario 3: 2026 Opening Year, with the Proposed Development in place;
- Scenario 4: 2031 Future Year, without the Proposed Development in place; and
- Scenario 5**:** 2031 Future Year, with the Proposed Development in place.

For the operational phase of the assessment, existing sensitive receptor locations have been identified within 200m of the roadside where people will be affected by development generated vehicles and may be subject to change in air quality. Given that the M1 Motorway passes through the study area, traffic flow along the M1 motorway is included with the air dispersion model. In order to avoid 'double-counting' of motorway NO2 emissions, the NOx generated from the motorway within each grid square has been removed using the appropriate DEFRA based adjustment tool.

The results of the assessment conclude that annual mean concentrations of NO_2, PM_{10} and $PM_{2.5}$ are predicted to remain below the relevant objectives and target levels, and all impacts are predicted to be negligible at all of the locations of the identified existing sensitive receptors. Therefore, the effect of the proposed development on concentrations of NO2, PM10 and PM2.5 during the operational phase is considered to be 'Not Significant' for the purposes of the Environmental Impact Assessment, with the overall effects of the proposed development on human health resulting in a 'Non-significant' effect. Notwithstanding the prescribed effects, mitigation measures will assist in reducing any potential impact and general best practice measures in relation to air quality could be implemented and could include the following below, secured via developer contributions and conditions:

- Financial contributions to secure future monitoring costs and replacement equipment for existing AQMAs;
- implementation of a travel plan;
- provision of safe and secure cycle parking facilities;
- provision of new cycling and walking infrastructure;

- provision of electric vehicle charging points;
- travel packs and bus passes.

Ecological receptors have also been identified at two local SSSIs at Enderby Warren Quarry and Narborough Bog. Given that the Enderby Warren Quarry SSSI is designated for geological interest, it is not considered to be sensitive to the effects of road traffic emissions and as such, the effects of air quality on this SSSI are not required to be considered further.

Whilst it has been identified that the Narborough Bog SSSI contains habitats which are sensitive to nitrogen deposition, consideration needs to be given to the potential operational impacts that the proposed development could have on the M1 motorway, which is located approximately 100 metres to the south-west of the SSSI site boundary. Given that the proposed development would not lead to significant impacts on the M1 motorway in terms of additional traffic movements or speeds which would exceed the relevant criteria set by Natural England's approach to advising competent authorities on the assessment of road traffic emissions, the M1 would not be 'affected' and therefore, a detailed assessment of the operational impacts of the proposed development on the Narborough Bog SSSI is not required.

In summary, it is concluded that air quality is not a constraint to the proposed development and can be adequately mitigated, both in relation to the construction and operational phases of development.

Noise and Vibration

A noise impact assessment was submitted to accompany the relevant chapters of the Environmental Statement and the subsequent Addendum. The assessment considered the potential impact of noise and vibration associated with the construction phase activities on existing sensitive receptors located in close proximity of the application site. The potential impact of noise from development-generated vehicles associated with the proposed development on existing sensitive receptors was also considered. Both assessments took into consideration the potential impact of existing sources of noise across the existing and proposed noise sensitive areas of the application site.

The site is surrounded on all sides by a busy network of both strategic and locally important roads, including the M1, B582 (Blaby Road), B4114 (St. Johns) and Leicester Lane, all of which are considered to be likely sources of noise currently affecting the application site. Monitoring locations were established in four locations, specifically on the eastern site boundary with the B4114 (ML1), the northern site boundary with Leicester Lane (ML2), the southern site boundary at Barr Close (ML3) and the western site boundary adjacent to the M1 Motorway (ML4). Existing sensitive receptors were identified in the residential properties at Barr Close, the residential dwellings along the southern carriageway of the B4114 and Old Church Road, and to the offices at Smith Way opposite the proposed Leicester Lane access.

Noise generated during the construction phases of development are likely to arise from activities such as ground excavation, ground levelling, trenching and trench filling, piling, construction of roads and fabrication. There is no escaping that any form of

construction work is likely to cause some level of disruption and it is envisaged that the noise impact of the construction phase on existing and proposed residential properties would be ‘Moderate Adverse’ to ‘Slight Adverse’, but is considered to have a ‘Slight’, short-term impact on sensitive receptors over the construction phases of the proposed development. Mitigation is recommended to be put in place to reduce the scale of any potential effects in the form of site and construction traffic management which would be secured by condition.

The assessment acknowledges that as part of the construction process, piling techniques as part of the construction process is likely to have a ‘Moderate Adverse’ effect on existing sensitive receptors. Given that the precise building locations and specific ground conditions in that location are not yet understood, it is not yet known what type of piling technique is required, or what the potential vibration levels are estimated to be in order to make appropriate recommendations for mitigation. Your Officers therefore recommend imposing a condition requiring the submission of a Construction Method Statement supported by an updated Noise and Vibration Assessment at the detailed design stage for each phase or Reserved Matters application in order to ensure that noise and vibration arising from the development are appropriately mitigated.

The Illustrative Masterplan indicates a total of five buildings (four for logistics purposes, one for training purposes) to be constructed on the application site and their associated uses are likely to generate noise sources which includes:

- Noise from vehicle movements entering and leaving the premises;
- Vehicle movements within the proposed car parks;
- Mobile plant such as pallet trucks operating within the service yard of the proposed premises;
- Ancillary noise sources associated with the proposed premises including external plant; and
- Deliveries and/or collections of goods with the proposed premises, including HGVs.

The assessment has been updated within the Addendum and concludes that there will be no discernible increase on noise levels from the existing baseline conditions as a result of the proposed development being in operation. In Environmental Impact Assessment terms, the impact of operational noise from within the application site, in accordance with the significance criteria, will be negligible. Only a marginal increase in road traffic noise is estimated at existing sensitive receptors resulting from the proposed development and the effect will be ‘Negligible’ and therefore, not significant in environmental terms, during opening or future years.

Mitigation measures will be incorporated into the site design to ensure the noise impacts of the proposed premises are reduced to acceptable levels at existing sensitive receptors. Mitigation measures may comprise acoustic barriers such as close boarded fencing, the location of fixed plant away from sensitive receptors or the implementation of other local mitigation measures. The noise mitigation measures can be confirmed at the detailed application stage, informed by updated Noise and Vibration Assessments which are submitted at each phase of development or Reserved Matters.

Light

On the basis that the proposed development is in the form of an Outline planning application where the principle of development and access are the sole matters for consideration at this time, there are no lighting proposals submitted as part of this application.

Officers recommend imposing a condition that requires the applicant or developer to submit an external lighting scheme at the detailed design stage as part of any Reserved Matters application in order to robustly assess the method and location of all proposed external light sources in consultation with the Council's Environmental Services team and the County Ecologist, so as to avoid the introduction of unnecessary lighting levels which could cause a nuisance to residential amenity or have an undesirable impact on the character and appearance and ecology of the area.

Impact on Neighbouring Occupiers and Uses

The application site is in a unique position, insofar that its location lies between a transitioning and dynamic landscape, where edge of residential merges with the large-scale commercial sites at Fosse Park and Grove Park.

The closest residential properties which could be considered as sensitive receptors are identified at Barr Close, St Johns and Old Church Road. Other receptors that are not considered 'sensitive' in environmental terms but are within the vicinity of the application site and could be impacted by the development are located at Blaby Road, Trinity Road, Aldeby Close, Fosse Close, Heron Way, Peters Close, Thomas Road, Heath Avenue, Hill View, Ratby Meadow Lane, Beechcroft Close, Leicester Road and Queens Drive.

Distances between the application site and sensitive receptors vary at different points, but the closest residential dwelling on Barr Close to the application site is approximately 25 metres. The closest dwellings on St Johns and Old Church Road are approximately between 35 and 40 metres from the application site boundary. The distances between the proposed buildings and existing dwellings will be greater given the intention to set the buildings away from sensitive boundaries.

Landscaping currently in place at Barr Close as part of the mitigation required for the residential development that occurred on that site is to remain in situ. Whilst the planting is still relatively young and still maturing, it already provides an existing form of screening of the application site. The Illustrative Masterplan indicates that the boundary with Barr Close will be further preserved with the provision of a 4 metre high earth bund and comprehensive planting scheme within the application site to minimise visual impacts, retain privacy and to mitigate noise impacts.

Planting is also proposed along the southern limits of the Fosse Way as it runs to Blaby Road and a substantial area of managed, on-site open space is proposed along the B4114 frontage which will initially soften the visual appearance of the proposed development as it addresses the public domain. In addition, the submitted Parameters Plan indicates that each building will have a maximum eaves height of 15 metres in

order to limit the scale of buildings. These details, along with the proposed landscaping scheme will help to avoid any overbearing effects.

Whilst further details will be submitted for further consideration at the detailed design stage as part of each phase or Reserved Matters, along with specific packages of mitigation to offset any detrimental impacts, it is considered that based on the information submitted as part of this Outline application for planning permission, the proposal is unlikely to have a significantly harmful impact on the residential amenities of neighbouring occupiers.

Construction Management and Phasing

A large development proposal of this scale could incur significant impacts and disruption during the construction phase. A development of this scale and nature would dictate that due to the environmental constraints and disturbances which are usually associated with the site clearance and construction phases of a development, it is recommended that a Construction Management Plan is submitted to and approved in writing by the District Planning Authority prior to the commencement of the operations, which should then be adhered to throughout the construction phase.

The Construction Management Plan shall provide for:

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials;
- Site compound locations;
- Storage of plant and materials used in constructing the development;
- Measures to control the emissions of dust and dirt during construction;
- Measures to control the emissions of noise during construction;
- Hours of construction and deliveries.

The County Highway Authority has recommended a similar condition requiring a Construction Traffic Management Plan to be submitted and agreed prior to the commencement of development. This will be combined into a single condition requiring a Construction Management Plan to be submitted and agreed and will be imposed on any grant of planning permission.

It is acknowledged that a development of this scale and nature is likely to be brought forward and delivered in phases as separate parcels of development that are likely to be subject to separate Reserved Matters applications in order for flexibility to meet the demands of the logistics sector.

A “prior to commencement” condition requiring the submission of a phasing plan is therefore recommended to be imposed, requiring the applicant/developer to identify the relevant phases of development and their related highways and transport infrastructure elements, including road/highway infrastructure, footpath and cycleway provision, provision of sustainable drainage attenuation ponds and swales and access provision to the open space adjacent to the B4114.

Impact on heritage assets

The application site is within a location where there is known archaeological interest as well as there being several designated heritage assets close by.

From a legislative context in relation to Local Planning Authorities (LPAs) considering development proposals that may impact on a listed building and conservation areas, the statutory duties under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 applies.

In the context of listed buildings and their settings, section 66 of the Act requires LPAs to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historical interest.

The term 'setting' is broadly defined as the surroundings in which a heritage asset is experienced. The extent of setting is not fixed and may change as the asset and its surroundings evolve. It is also an important consideration that setting is not itself a heritage asset, nor a heritage designation. The importance of setting lies in what it contributes to the significance of the asset, or to the ability to appreciate the significance. Furthermore, not all elements of a setting will make a positive contribution to the significance of an asset and it is accepted that some elements of setting may contribute in a neutral or negative manner.

Having regard to conservation areas, section 72 of the Act requires LPAs to pay special attention in the exercise of planning functions to the desirability of preserving or enhancing the character or appearance of a conservation area. This statutory duty does not apply to development proposals that lie outside of a conservation area.

Paragraph 189 of the NPPF states that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 194 requires an applicant to describe the significance of any heritage assets affected by their development proposal(s), including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.

Paragraph 195 requires LPAs to identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

In addition, paragraph 199 of the NPPF states that the when considering the impact of a proposed development on the significance of designated heritage asset, great weight should be given to the asset's conservation (the more important the asset, the

greater the weight should be). The paragraph goes on to state that this is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 201 states that where a development proposal will lead to substantial harm to a designated heritage asset, LPAs should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm.

Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 203 states the effect of a development proposal on the significance of a non-designated heritage asset should be taken into account in the determining of an application. It states that in weighing up applications that directly or indirectly 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 following subheadings below will address the proposal's impacts on these matters.

Archaeology

The submitted Environmental Statement gives consideration to the likely significant effects of construction upon the Fosse Way Roman Road, the course of which is known to run through the Site. In addition, a number of late prehistoric, Roman and medieval archaeological features and/or sites have been identified within the boundaries of the application site.

The submitted Environmental Statement identifies and describes the significance of these archaeological features and considers that there is a strong possibility of the presence of prehistoric, Romano-British and medieval archaeology on the development site.

In their initial consultation response, Leicestershire County Council's Planning Archaeologist acknowledges that the construction works associated with the proposed development are likely to negatively impact upon these archaeological remains and recommends that the applicant records and advances the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their significance, including making this evidence (and any archive generated) publicly accessible.

With the above in mind, the County Planning Archaeologist recommended that planning permission be granted, subject to the imposition of conditions for an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording. This would be informed by a Written Scheme of Investigation (WSI).

Further archaeological work has been undertaken within the vicinity of the application site since the submission of the initial Environmental Statement in 2019 and have been listed in the Addendum of February 2023. This work has identified remains dating to the Iron Age and Roman periods and whilst this confirms that the application site lies within a landscape utilised in prehistoric and Roman times these sites are too distant to have any impact on the archaeological resource within the application site itself.

The Addendum considers that the potential for previously unknown archaeological sites has already been identified and there will be no extra impacts on the archaeology within the area of the Proposed Development and that the proposed mitigation outlined in the original Environmental Statement remains the same. In this context, the proposed mitigation strategies will consist of preservation in situ of the Roman Fosse Way and preservation by record with archaeological excavation and recording in advance of development. Should any heritage assets of national or international value be encountered then preservation in-situ and possible redesign of the development footprint could be considered.

Upon review of the previous archaeological work undertaken, the County Planning Archaeologist has not objected to the proposed development but has revised their recommended archaeological conditions, stating that no further archaeological trial trenching will be required and that a WSI in relation to a programme and methodology of site investigation and archaeological recording be submitted prior to any development works.

<u>Fosse Way Roman Road</u>

As stated under the previous heading, the alignment of the Fosse Way Roman Road is known to run through the site. Although not a designated heritage asset, the Fosse Way is recognised as being an important non-designated heritage asset. In their consultation response, Historic England have referred to the Fosse Way as:-

"…the principal road running from the south-west to the north-east within the province, and the initial post-invasion frontier. The approach of the Fosse Way towards Roman Leicester (Ratae) contributes to the legibility of the Roman city and its nationally important remains in their landscape context."

Several objections have been made by members of the public regarding the potential impact that the proposal would have on the Fosse Way. These objections state that the proposed development would have a harmful impact on the alignment of the Fosse Way.

However, the Archaeology and Cultural Heritage Section of the Environmental Statement along with the Indicative Masterplan shows that the proposed buildings associated with the development would not be located on or within 10 metres of the line of the Fosse Way, effectively providing a 20-metre-wide green corridor along its alignment.

It is understood that part of the main spine road for the proposed development will cross part of the alignment of the Roman Road, but this will not affect its legibility to be read as one of the principal walkways through the site, which will be complimented

with interpretation boards and seating areas as a way of enhancing the context of the Fosse Way. Details of the location and design of these features are intended to be secured via a planning condition.

The proposal would not result in the loss of this non-designated heritage asset. In their consultation response, Historic England have not objected to the principle of the proposed development and have requested that continued liaison with Leicestershire County Council's Planning Archaeologists is needed in order to establish the scope and extent of any post-determination mitigation. In the event of planning permission being granted, it is envisaged that Historic England would be consulted on any subsequent Reserved Matters applications.

Enderby Conservation Area

Approximately 600 metres to the west of the application site lies the boundary of Enderby Conservation Area, which is a designated heritage asset. In addition, it is acknowledged that the historic parkland to the east of Enderby Hall makes an important contribution to the setting of the Conservation Area. The closest extents of these grounds lie approximately 115 metres to the west of the application site.

The M1 motorway effectively severs the application site and the parkland to the west. The elevated topography of the motorway along this section enables long and short views of the numerous vehicles that traverse its length and emphasises its visual prominence in the landscape.

The application site is enclosed on all sides by development of some form or another, with residential to the south and east, commercial to the north and the Park and Ride facility to the north-east. There is also a strong urbanising character provided by the large number of commercial buildings that lie adjacent to the application site.

The southern extents of Fosse Park, which is one of the largest Motorway Retail Areas in the country, is located approximately 480 metres to the north-east of the application site and was recently subject to substantial expansion on the former Castle Acres site which previously hosted Everards brewery.

Immediately to the north of the site on the northern half of Leicester Lane lies Grove Park, which is home to a substantial commercial development of large-scale warehouses and office buildings, including a hotel. Further north, beyond the limits of the Ring Road (A5460) along the corridor of the M1 lies Meridian Business Park, providing a mixture of office, industrial and storage/distribution uses.

On the opposite side of the M1 motorway, some 150 metres to the north-west lies the first phase of the New Lubbesthorpe Strategic Employment Site (Leicester Commercial Park).

Furthermore, to the north-east the opposite side of the B4114 lies Everards Meadows development, a development which provides a mixture of brewery, restaurant and leisure uses. The headquarters for Leicestershire Police also lies to the east of the B4114.

Given the motorway's elevated and prominent nature, along with the presence of existing commercial sites within the immediate locality which have a distinctly urbanising character, it would be difficult to justify that the application site forms part of the setting of Enderby Conservation Area.

On this basis, the application site holds no significance towards the special character of the Conservation Area. Whilst the proposed development will result in there being a significant visual change as to how the site is perceived from the public realm, the proposal would have no harm on the significance of Enderby Conservation Area from a heritage perspective.

Setting of the Church of St John the Baptist

The Church of St John the Baptist is a Grade II* listed place of worship dating from the fourteenth century. The Church is situated on the eastern boundary of Enderby Conservation Area, approximately 900 metres to the west of the application site. Part of its setting comprises the church yard that surrounds it and the agricultural land that lies to the east, up to the embankment of the M1 motorway.

The Church grounds have been extended several times towards the east and south to provide further burial capacity close to the Church itself. This has resulted in a small but piecemeal erosion of the surrounding agricultural land, resulting in the grounds some 650 metres to the west of the application site. The Church grounds benefit from a substantial level of screening along the roadside boundary with Leicester Lane, with the southern limits of the graveyard benefitting from tree cover and mature hedgerows along the adjoining field boundaries.

Views of the Church are limited from the eastern and southern extents of the Church yard, with the most prominent of views being from the junction where Blaby Road, Leicester Lane, Mill Hill and High Street converge at a crossroads. Glimpses of the Church's lower extents can be gained within the original Church grounds to the east through a gauntlet of trees, but the relatively limited height of the Church tower and the 'funnelled' arrangement of trees makes it difficult to discern the Church structure in the wider landscape from the application site.

The agricultural land to the east of the Church makes a positive contribution due to its open and agricultural character. The M1 motorway and its associated embankment effectively severs the agricultural fields from the application site, but views across the M1 to the east provides a roofscape of commercial buildings at Grove Park.

None of the development proposes to encroach beyond this defined boundary of the motorway and whilst some views of buildings may be visible from the public realm if approved, it would be difficult to justify that the application site forms any part of the setting of the Church of St John the Baptist. For these reasons, it is considered that the application site holds no significance towards the setting of the Church from a heritage perspective.

Setting of Enderby Hall

Enderby Hall is a Grade II listed former mansion, now divided into four apartments. The Hall is set within substantial open parkland grounds which are considered to make a positive contribution towards its significance and lies approximately 1.0 kilometre to the west of the application site. Much of the southern boundary of the Hall's wider, historic parkland grounds are tree-lined, as is the western embankment to the M1 motorway.

To the far east of the parkland grounds, immediately to the west of the northbound carriageway of the M1 motorway lies Leicester Commercial Park, which at present comprises two large warehouses that are used for storage and distribution. This development was approved as part of the first phase of the Strategic Employment Site for the New Lubbesthorpe development (application reference numbers: 11/0100/1/OX and 17/0431/FUL) and will be subject to a second phase of development on the land to the north-west of the existing commercial units.

As part of the consideration of the scheme at Leicester Commercial Park, Leicestershire County Council's Principal Historic Buildings Officer identified some harm on the significance that the setting makes to the Hall. The level of prescribed harm was considered to be 'less than substantial', in accordance with paragraph 202 of the NPPF.

In this regard, the degree of 'less than substantial harm' was weighed against the public benefits associated with the delivery of the proposed development. It was considered that the significant economic and social benefits of delivering this employment development as part of the New Lubbesthorpe Strategic Employment Site made a significant contribution towards meeting the existing and future employment needs of the local and wider area. Along with the implementation of a comprehensive landscaping mitigation scheme, your Officers considered that the public benefits outweighed the less than substantial harm to the significance found in the setting of Enderby Hall and the Enderby Conservation Area.

Having regard to the development currently proposed under application 19/0164/OUT, due to the application site being severed from the Enderby Hall by the M1 Motorway, it has been established that there will be no discernible harm to the setting of Enderby Conservation Area and the Church of St John the Baptist. For similar reasons that have been previously stated above, it is considered that due to the overall distance and intervening features between the application site and Enderby Hall and its parkland grounds, the application site makes no positive contribution to the setting of this designated heritage asset and therefore, would not have a harmful impact on Enderby Hall's significance from a heritage perspective.

Setting of Scheduled Monument – Site of St John's Church, Aldeby

Situated approximately 230 metres to the east of the application site, immediately to the rear of a residential development, lies the Scheduled Monument of the Site of St John's Church, Aldeby. Excavations at the site of the monument revealed a small building with an apsidal chancel, along with other notable archaeological finds that are believed to be late-Anglo Saxon to early medieval in age.

The significance attributed to the Scheduled Monument lies in its archaeological interest, along with its historical interest associated with the possible deserted medieval village of Aldeby, which is understood to have disappeared by the thirteenth-century.

A residential development was built immediately to the west of the Scheduled Monument and is served by Old Church Road, off the B4114. A large storage building with storage containers occupies the grounds to the north of the site, along with Palmers Garden Centre immediately beyond. The site of the former church is bounded on its eastern limits by the River Soar, which meanders in a south to north direction into the city of Leicester.

The proposed development would not have any physical impacts on the site of the Scheduled Monument and given the immediate relationship that the site has with the residential development and storage sites to the west and north respectively, it is considered that the application site does not form part of the Scheduled Monument's setting.

On this basis, it is considered that due to the overall distance and intervening features between the application site and the Scheduled Monument, the application site makes no positive contribution to the heritage asset's setting and therefore, would not have a harmful impact on its significance from a heritage perspective.

Conclusions on Heritage

The applicant has identified a number of heritage assets that have the potential to be affected by the proposed development and has demonstrated a comprehensive level of understanding of the significance associated with these assets in accordance with paragraph 194 of the NPPF and Policy DM12 of the Delivery DPD.

It is understood that there will be no discernible harmful impacts on any designated heritage assets within the vicinity of the application site. However, it is acknowledged that the proposed development could have an adverse impact on known archaeological remains on the site, specifically, the line of the Fosse Way Roman Road.

Your Officers have consulted with the relevant statutory consultees when considering the proposal's likely impacts on the historic environment in accordance with paragraph 195 of the NPPF. Consequently, you Officers are satisfied that the likely impacts that may result in harm being caused to the line of the Fosse Way Roman Road and other archaeological features on the site can be appropriately mitigated.

In addition, your Officers consider that the significant economic and social benefits of delivering this allocated employment site will significantly help to meet the existing and future employment needs of the District local and the wider area. It is considered that these significant benefits along with the proposed mitigation measures will reduce the harm to significance that is found in these heritage assets in accordance with Section 16 of the NPPF.

Climate Change

Policy CS21 states that development which mitigates and adapts to climate change will be supported. The policy states that new development will be focussed in the most sustainable locations, in accordance with Policy CS1 and Policy CS5. As identified when considering the principle of development, the site adjoins the Principal Urban Area of Leicester and is therefore considered one of the most sustainable locations for new housing development, in accordance with Policies CS1.

Policy CS21 also seeks to reduce energy demand and increase efficiency through appropriate site layouts and sustainable design features. This includes providing for safe and attractive walking and cycling opportunities, utilising landform, building orientation, etc. to reduce energy consumption, supporting the Government's zero carbon buildings policy and encouraging residential development to achieve Code for Sustainable Homes level 3, and encouraging the use of sustainable materials and construction measures. Finally, Policy CS21 also encourages the use of renewable, low carbon and decentralised energy and supports renewable and low carbon energy generation.

As this application is for outline planning permission, a number of measures in relation to climate change will need to be agreed as part of any Reserved Matters proposals when the site layout and design of individual buildings is agreed, which could include opportunities for rain water harvesting or solar panels. In addition, a condition is proposed in order to secure specific details through the design process for the applicant to demonstrate how the proposed development will achieve the certified 'excellent' as indicated in their submitted BREEAM (Building Research Establishment Environmental Assessment Method) pre-assessment.

It is noted that the Illustrative Masterplan does allow for safe, attractive and direct walking and cycling routes through the applications site, utilising the existing route of the Fosse Way as well as providing wider access benefits and connectivity for pedestrians and cyclists along the B4114. In addition, the Illustrative Masterplan proposes the incorporation of electrical charging points for electric powered or hybrid vehicles.

Non-Material Considerations

In recognition of the impact that the proposed development will have on the surrounding area, the applicant has offered to set up a Community Benefit Fund. Such funds are becoming increasingly common in association with logistics developments, and a reasonably well developed set of parameters exist.

The purpose of a community fund is to support local community and voluntary organisations to deliver local projects within a geographical area surrounding the site in question. The intention would be to establish the fund in response to the creation of the development known as Enderby Logistics Hub with the contribution to the fund being based upon the floor area of those buildings on the site in question.

At this time, the details of how the fund would operate are yet to be determined, and consideration will need to be given to matters including:

1. The holding body for the fund which could for example be Enderby Parish Council or a new body established specifically for the purpose.
2. The geographical area in question which will benefit from the fund.
3. Activity areas to be supported for example education and training, wellbeing, health and sport, recreation, environmental and community.
4. The method of applying for funding.
5. Minimum and maximum amounts which could be applied for.

The provision, and subsequent setting up and management of a Community Benefit Fund are not material considerations which are relevant to the determination of the planning application. This is because the fund it not a requirement for mitigation purposes. Therefore it is detailed in this report solely for the purpose of providing full and transparent information on the development proposal.

Conclusion and Planning Balance

A planning application should be considered by applying Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires it to be determined having regard to the adopted development plan unless material considerations indicate otherwise.

Policy CS1 of the Core Strategy sets out the strategy for locating new development in the District and indicates that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester. The site has been allocated to provide for approximately 33 hectares (gross) of employment land on land to the west of St Johns in Enderby in Policy SA3 of the Blaby District Local Plan (Delivery) Development Plan Document, which adjoins existing large-scale commercial sites, the wider PUA, and critically, with the strategic road network. The application site is therefore considered to be a sustainable location for new employment development and would help meet the identified need for employment land to serve the District's current and future populations, and to meet strategic employment, education and training needs.

Through the planning application process, the application has been able to demonstrate that the highway impacts of the development would not be severe, subject to appropriate mitigation being provided including junction improvements, walking and cycling routes.

The application has also demonstrated that any other adverse impacts of the development would not be so significant as to warrant a refusal of planning permission, or that they can be satisfactory mitigated through the use of appropriate conditions. This includes impacts on ecology and biodiversity, landscape and visual impacts, archaeological impacts, the loss of agricultural land, air quality impacts and other environmental impacts including noise, light, construction management, residential amenity and climate change.

With regards to the Environmental Statement which accompanies the planning application, it is considered that this has adequately addressed the likely significant and cumulative impacts of the development on the environment and provided sufficient evidence to demonstrate that any significant environmental impacts can be adequately

mitigated and managed. The mitigation measures required will be secured through a combination of conditions to be imposed on any grant of planning permission, or through planning obligations to be secured via the Section 106 agreement. Any monitoring measures deemed necessary will be secured by similar means.

Overall, the three dimensions of sustainable development have been considered (economic, social and environmental) as set out in the NPPF and officers are of the view that the proposal is acceptable and accordingly it is recommended that outline planning permission be granted subject to the applicant first entering into a Section 106 Agreement to secure the necessary planning obligations set out at the beginning of this report, and subject to the stated conditions.

23/0234/FUL **Registered Date 3 May 2023** **Euro Property Investments Limited**

Erection of Use Class B2/B8/Class E unit with associated access and parking.

Land To The West Of Autoglass Ltd, Meridian North, Braunstone Town

Report Author: Max Heagin
Contact Details: Council Offices. 0116 272 7621

RECOMMENDATION: THAT APPLICATION 23/0234/FUL BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. Time limit.
2. Approved plans.
3. Materials as specified.
4. Landscaping to be carried out in accordance with approved plan and retained/replaced as necessary.
5. Provision of surface water drainage scheme to be submitted and agreed prior to commencement.
6. Provision of details of surface water management during construction to be submitted and agreed prior to commencement.
7. Provision of details in relation to the long-term maintenance of the surface water drainage system to be submitted and agreed prior to commencement.
8. Finished floor levels being set a minimum of 300mm above finished ground levels.
9. Archaeological trial trenching in accordance with an agreed-upon Written Scheme of Investigation to be completed prior to commencement.
10. Details of boundary fencing and gate to be agreed prior to installation.
11. Details of bin store to agreed and provided prior to first occupation.
12. Provision of Construction Method Statement to be submitted and agreed prior to commencement.
13. Details of cycle storage to be agreed and provided prior to first occupation.
14. New access to be constructed in accordance with approved plans prior to first occupation/use of the building.
15. Provision of pedestrian visibility splays prior to first occupation/use of the building.
16. Provision of vehicular visibility splays prior to first occupation/use of the building.
17. Off street car and HGV parking and associated turning facilities as shown on the approved plans to be provided prior to first use and thereafter retained.
18. No internal mezzanine or provision of first floor over the warehouse.
19. No outdoor working/fabrication/manufacturing.
20. Any external storage of goods, equipment or materials to be agreed.
21. No external plant or machinery etc to be installed without planning permission.
22. Any CCTV provision to be agreed and subsequently implemented.
23. Lighting scheme prepared by suitable ecologist to be agreed prior to first installation (subject to clarification from ecology regarding lighting scheme

supplied).

24. Details of a Reasonable Avoidance Measure Method Statement and Ecological Clerk of Work to oversee vegetation removal in relation to protected species prior to commencement.
25. No removal of vegetation during bird breeding season and checks for birds during removal.
26. Landscape Ecological Management Plan to be agreed prior to commencement then implemented prior to first occupation and monitored in accordance with approved details.
27. The unit shall be restricted to uses and activities falling within Classes E(g) iii, B2 and B8 with ancillary offices only.

NOTES TO COMMITTEE

Relevant Planning Policy and Legislation

Blaby District Local Plan (Core Strategy) Development Plan Document (2013)

Policy CS1 – Strategy for locating new development
Policy CS2 – Design of new development
Policy CS6 – Employment
Policy CS10 – Transport Infrastructure
Policy CS11 – Infrastructure, services and facilities to support growth
Policy CS19 – Bio-diversity and geo-diversity
Policy CS20 – Historic Environment and Culture
Policy CS21 – Climate change
Policy CS22 – Flood risk management
Policy CS24 – Presumption in favour of sustainable development

Blaby District Local Plan (Delivery) Development Plan Document (Adopted February 2019)

Policy SA5 – Key Employment Sites and Other Existing Employment Sites
Policy DM1 – Development within the Settlement Boundaries
Policy DM8 – Local Parking and Highway Design Standards

National Planning Policy Framework (NPPF) July 2021

National Planning Practice Guidance (NPPG)

Other Supporting Documents

Blaby District Landscape and Settlement Character Assessment (2008)

Blaby District Council Supplementary Planning Document “Planning Obligations and Developer Contributions” (Feb 2010)

Consultation Summary

Blaby District Council, Environmental Health – No objections subject to the

imposition of conditions.

Blaby District Council, Neighbourhood Services – No comments received.

Braunstone Town Council – Objected to the scheme as follows:

"*Braunstone Town Council objects to the application due to the proposals:*

a) resulting in over-development of the site due to scale and massing;
b) being poorly designed and resulting in a cramped site layout;
c) providing an additional highway access wedged between two existing site access points; and
d) potentially compromising the development of the wider area.

Reasons:

a) The total floor space of the unit would be large compared to the site as a whole; 1957 square metres on half a hectare of land.
b) The irregular shape of the plot meant that the unit and associated parking and access would be cramped; there would be significant conflicts between lorry, delivery, staff and visitor parking and pedestrian movements on the site, presenting safety concerns. There was a potential for back up onto the highway if several vehicles arrived/left and needed to manoeuvre at the same time.
c) The neighbouring sites were of a significant size and operated with a significant amount of comings and goings; the provision of a new access wedged between both these access points close to a bend would present significant safety concerns for highway users, including pedestrians, and users of the three sites.
d) Land north of Meridian North and South of Centurion Way around the Watergate Lane area has been left undeveloped. In the past various proposals utilising land in this area have been put forward to provide a direct link road from the M1 southbound onto the M69. Land on the other side of the M1 to the M69 was also being left undeveloped as part of the outline approval for New Lubbesthorpe. Additional development in this area could prevent proposals to improve the motorway network in the future, thereby limiting economic growth and development in the area."

Leicestershire County Council, Archaeology – No objections subject to the imposition of conditions.

Leicestershire County Council, Ecology – No objections subject to the imposition of conditions.

Leicestershire County Council, Highways – No objections subject to the imposition of conditions.

Leicestershire County Council, Lead Local Flood Authority – No objections subject to the imposition of conditions.

Leicestershire Fire & Rescue Services – No comments received.

Leicestershire Police – No objection.

Severn Trent Water Ltd – No objections subject to inclusion of notes to applicant.

Third Party Representations

No comments received.

Relevant Planning History

85/0827/1/PY	Groundworks (cut & Fill) preparatory to construction of building	Approved 08/08/1985
86/0639/1/PX	Erection of offices & warehouses	Approved 23.07.1986
86/1561/1/PX	Proposed erection of warehouse with ancillary offices	Approved 18.12.1986
87/0501/1/PY	Erection of chain link security fence (2 meters high)	Approved 30.04.1987
87/1479/1/PY	Erection of two flag poles	Approved 29.10.1987
09/0016/1/PX	Proposed conveyor belt bridge	Approved 02.04.2009

EXPLANATORY NOTE

The Site

The application site forms part of the curtilage of an existing industrial unit but is currently an undeveloped parcel of land measuring approximately 0.56 ha located within the Meridian Business Park set to the south of Watergate Lane, east of the M1 and to the north west of Meridian North. Meridian Business Park is designated as a Key Employment Site as shown on the Blaby District Local Plan Proposals Map (2019) and is also located within the Principal Urban Area.

Whereas the majority of the site is currently laid to grass, part of the site forms a disused overspill car park connected to the host industrial unit to the east of the site. The remainder of the site is open space characterised by strips of woodland within and around the site including a tree line to the rear of the site screening a wire mesh fence along Watergate lane with further soft landscaping along the boundaries to neighbouring industrial units.

The area surrounding the site is characterised by industrial units of varying sizes interspersed by parking, grass verges and soft landscaping. The design of neighbouring units varies though largely feature grey cladding common to industrial units.

The Proposal

The application proposes the erection of a single industrial/warehouse unit (with ancillary office space) of approximately 1,956m2 divided into a 1,662m2 warehouse, 147m2 ground floor office and 147m2 first floor office. The unit is designed to be flexible for use for either warehouse storage (Class B8 storage and distribution) or production (Class B2 general industrial) with ancillary office space to suit prospective occupants.

The proposed building faces south east on a partial slant relative to neighbouring units and the frontage and is set back relative to neighbouring units and occupies the northern rear part of the plot. This set back appearance is further increased by the curve of Meridian North where it becomes Meridian West.

The warehouse design utilises 4 strips of horizontal strips of metal cladding coloured in indifferent shades of grey on the external elevations to provide a level of visual interest whilst ensuring that the building will fit within the established street-scene. The height of the warehouse has been designed to accommodate an internal haunch height of 8m to be useable for storage and distribution which gives the warehouse an external eaves height of approximately 9m with 11m to the ridge of the pitched roof. For context the unit to the east of the site has a ridge height of approximately 9m and the unit to the south has a ridge height of approximately 12m.

The car parking and service areas are located on the site frontage providing 24 off street parking spaces (complete with EV charging) with 2 disabled access spaces (1 with EV charging) for a total of 26 off street parking spaces The site frontage will also accommodate 1 dedicated HGV space in addition to the loading bay which could be utilised as an additional parking space with 3 van parking spaces capable of accommodating HGVs for a total of 5 HGV spaces. Additionally the site is proposed to also accommodate 5 motorcycle spaces to the east side of the warehouse and accommodation of up to 10 cycle spaces with a cycle store to the front of the warehouse. To the rear of the motorcycle parking on the east side of the warehouse an approximately 6m x 3.4m bin store with approximately 2.4m high timber palisade fencing is proposed. The parking is laid out within a landscaped setting consistent with the appearance of other units within Meridian Business Park and maintains the verdant appearance of the street scene.

The existing wire mesh fence on the rear boundary with Watergate Lane is to be retained with approximately 2.4m high palisade fencing proposed on the front and side boundaries incorporating a gate across the access.

As highlighted in the submitted Design and Access Statement accompanying the application, the initial designs for the site involved the setting of the unit deeper into the site which would have required removal of the existing tree line along the boundary however this was changed to the scheme now proposed to prioritise retention of this landscaping. This in conjunction with strips of hedgerows and soft landscaping along the front and side boundaries inside of the security fencing is intended to soften the appearance of the proposal and contributes to a net gain in biodiversity within the site.

Planning Considerations

Section 38(6) of the Town and Country Planning Act 1990, requires planning applications to be determined in accordance with the provisions of the Development Plan unless there are other material considerations which indicate otherwise. This section of the report will first consider the proposed development against the policy background and then consider any other material considerations.

National Planning Policy Framework

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
    i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Development Plan

Blaby District Local Plan (Core Strategy) Development Plan Document (2013)

The following policies of the Core Strategy are relevant to the proposed development:

Policy CS1 – Strategy for locating new development

Most new development will take place within and adjoining the Principal Urban Area

(PUA) of Leicester and encouragement will be given to the use of previously developed land and underused land and buildings. The proposed development is consistent with this policy as the PUA includes the built-up area of Braunstone Town.

Policy CS2 – Design of New Development

Policy CS2 seeks to ensure that a high quality environment is achieved in all new development proposals, respecting distinctive local character and the design of new development should also be appropriate to its context.

The design of the building has been designed to reflect a high quality industrial use and is consistent with the appearance of neighbouring industrial units. As such it is considered that the scheme accords with Policy CS2.

Policy CS6 – Employment

This policy seeks to ensure the District has a range of employment opportunities to meet the needs of its residents and wider communities as well as allowing for growth of existing businesses and for inward investment.

Meridian Business Park itself is identified within the policy in section 7.6.3 due to its attractiveness to business particularly in respect to storage and distribution. Provision of the proposal within this established Strategic Employment Site complies with the policy and will realise strong economic and social benefits.

Policy CS10 – Transport infrastructure

Identifies as a strategic aim to encourage and develop the use of more sustainable forms of transport including walking, cycling, other forms of non-motorised transport and public transport).

The site makes use of the existing bus route serving Meridian Business Park in addition to provision of cycle storage on site, reducing reliance on vehicular travel and therefore complies with the strategic aim of the policy.

Policy CS11 – Infrastructure, services and facilities to support growth

Seeks to ensure that all new development is supported by good access to infrastructure, services and facilities to support growth.

The site benefits from existing infrastructure links serving Meridian Business Park including connections to the M1 and M69. Additional infrastructure is not required to ensure the viability of the site and in addition to connection to bus routes and provision of cycle storage the proposal is considered to comply with the policy.

Policy CS19 – Bio-diversity and geo-diversity

The strategic objective is to protect the important areas of the District's natural environment (species and habitats), landscape and geology and to improve biodiversity, wildlife habitats and corridors. Appropriate buffering and mitigation

measures should be put in place to avoid/reduce any adverse impacts resulting from the proposal.

The proposal has been designed to maintain the existing tree line to the rear of the site along Watergate Lane with additional planting as well as providing on site biodiversity enhancements. In the preliminary ecological appraisal and biodiversity metric prepared by Midland Ecology to accompany the application it was outlined that the proposal would provide a biodiversity net gain, a finding accepted by County Ecology. Following Ecology advises that they are satisfied with the proposals it is considered that the application complies with this policy.

Policy CS20 – Historic environment and culture

Aims to improve the design quality of all new developments in the District in addition to preserving and enhancing the cultural heritage of the District, recognising its contribution to Local Distinctiveness and to seeking design solutions which preserve and enhance heritage assets where they are impacted by development.

The site lies within an area of archaeological interest as identified by the Leicestershire and Rutland Historic Environment Record. Consultation from County Archaeology advised that a written scheme of investigation to include trial trenching of the site be undertaken but that they were satisfied this could be done by condition. Additionally the site is not located within a visually sensitive area given the prevailing character of its industrial setting.

The proposal is of a reasonable design in context of its surroundings and integrates sufficiently to be considered to comply with the policy.

Policy CS21 – Climate change

States development should be focused in the most sustainable locations and layout and design should reduce energy demand and increase efficiency.

The location of the application site within the Principal Urban Area is sustainable with the retention and provision of landscaping within the site and provision of alternative transport being considered to be sufficient to comply with this policy.

Policy CS22 – Flood Risk Management

The objective being to ensure all development minimises vulnerability and provides resilience to flooding.

The application site is entirely within Flood Zone 1, which has a low probability of flooding. A risk of surface water flooding was identified however a substantial objection was not provided by LLFA or Severn Trent during consultation.

In the absence of objections from relevant statutory consultees in addition to the inclusion of proactive conditions to manage the surface water flood risk on the site it is considered the proposal would not be contrary to the policy.

Policy CS24 - Presumption in favour of sustainable development

Policy CS24 reflects the overarching principle of the NPPF that the Government wishes to see in relation to the planning system, including employment delivery - with the golden thread running through the decision making process being the presumption in favour of sustainable development.

The application site is located within the PUA and is well integrated into the local community and beyond. Furthermore it is well served by the strategic road network and has provision for safe and sustainable transport modes. The proposal is therefore considered to comply with Policy CS24.

Blaby District Local Plan (Delivery) Development Plan Document (2019)

The adopted Delivery DPD (February 2019) is part of the Development Plan for the District of Blaby. It is an up-to-date plan that is consistent with National Policy and as such, the policies of the Delivery DPD should be given full statutory weight. The following policies are the most relevant to the proposed development:

Policy SA5 – Key Employment Sites and Other Existing Employment Sites

States that the Key Employment Site will be protected for employment uses within Use Classes B2 (general industrial) and B8 (storage and distribution) unless certain criteria are met.

This policy identifies Meridian Business Park as being classified as a Key Employment Site. This application offers the opportunity to sustain and develop jobs and this proposal is fully compliant with Policy SA5.

Policy DM1 – Development within the Settlement Boundaries

Meridian Business Park sits within the settlement boundary of Braunstone Town where the principle of development is acceptable and will be supported, subject to certain criteria being satisfied.

Policy DM8 – Local Parking and Highway Design Standards

Seeks to provide an appropriate level of parking provision which complies with Leicestershire Local Highway Guidance in addition to promoting use of more sustainable forms of transport.

The main highway implications relate to parking and setting of the access gates which fall short of Local Highway Guidance. The site additionally benefits from cycle storage and access to public transport. The Highway Authority have formally confirmed that they have no objections to the proposal subject to the imposition of planning conditions. The proposal is therefore, on balance, considered sufficient to comply with the policy.

Material Considerations

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise and whether those material considerations are of such weight that the adopted policies of the Development Plan should not prevail in relation to any proposal.

In addition to the policy considerations set out above, there are a number of substantive material considerations that relate to the development of this site, which are:

- The principle of the development
- Socio-Economic Issues
- The design of the development
- Highway and parking implications
- Surface water management

The principle of the development

The application site is within the wider Meridian Business Park site, a key employment site which has operated as an industrial business park in excess of 35 years. Polices CS6, and SA5 seek to provide an appropriate quantity, quality and mix of employment opportunities to meet the needs of the District's current and future populations by protecting Key Employment Sites as well as other existing employment sites from non-employment development. Furthermore Policy CS1 of the Blaby Core Strategy states that new development in the District of Blaby will predominantly take place within and adjoining the Principal Urban Area (PUA) of Leicester of which Braunstone Town is included.

The objection from Braunstone Town Council outlined concerns that the proposal could compromise potential future development in the area in respect of a potential link road between the M1 southbound to the M69 given that land to the west of the M1 forms part of the outline permission for New Lubbesthorpe. For context the potential for a link road between the M1 southbound to the M69 has been theorised since the mid 2000's in various guises however currently there are no plans proposed. Highways comments did not raise any concerns regarding this specific matter and when viewed in the context of the existing larger industrial units set to the south of the site and closer to the M1 the proposal is considered to have less of an impact than existing developments. The hypothetical potential road link therefore cannot carry any significant weight when measured against the principle of the development of this site which must be considered on its own merits.

The proposed use of the site complies with relevant policies to Key Employment Sites and is consistent with existing uses within the wider locality and in addition to the sites sustainable location within the PUA the proposal is considered to be acceptable in principle.

Socio-Economic issues

Meridian Business Park comprises a mix of approved employment floorspace

predominantly in use Classes B2 (general industrial) and B8 (storage) with associated office space. Meridian Business Park is identified within policy CS6 due to its attractiveness to business particularly in respect to storage and distribution and suitability for growth in this area.

The proposal is for a complementary use within the wider Meridian Business Park, providing the benefit of creating employment opportunities within a sustainable location and would provide inward investment to the site and help to ensure its continued viability and vitality and in turn support the wider economic growth of the district. It is therefore considered that the proposal represents a positive addition to this Key Employment Site, providing a public benefit to be weighed in favour of approval.

The design of the development

Objections raised by Braunstone Town Council outlined concerns that the proposal constitutes overdevelopment of the site due to scale and massing. These comments are in respect of a 1,957sqm unit within a 056ha being considered to be too large relative to other units. The footprint of the building (removing the 147.45 first floor office space) is approximately 1,809sqm which occupies approximately 32.3% of the site. The space occupied by other units within their curtilages within Meridian Business Park does vary though a number of other units including the larger unit to the south of the site do seem to occupy a similar footprint percentage of their respective sites. In this context it is therefore considered that the proposal does not represent overdevelopment of the site.

In assessing the proposal in context of its setting it is noted that the unit to the east of the site is set at a lower land level exacerbating this difference in height between the two however the distance from the nearest corner of the proposed warehouse to the neighbouring unit is approximately 23m and given the height of the unit is largely comparable to other units in Meridian Business Park it is considered to be acceptable.

In assessing the rear of the site from Watergate Lane it was observed that other industrial units were visible from public vantage points along Watergate Lane and from the public footpath and bridleway connecting Watergate Lane to Centurion Way to the north of the site. The proposal is considered to be somewhat prominent when viewed from the rear due to its height relative to the retained soft landscaping on this boundary however its retention is considered to soften the appearance of the development. Watergate Lane is a single track road requiring passing lanes which is not considered to be highly pedestrianised. It is therefore considered to be a less sensitive street scene than the front of the site and in context of existing units visible in the area and retention of the existing soft landscaping it is considered that the proposal is acceptable.

The proposed security fencing on the boundaries of the site is considered to be somewhat detrimental to the appearance of the site and the street scene. However the appearance of this feature is mitigated by the use of hedging and soft landscaping inside of the fencing and retention of trees and soft landscaping on the exterior both within the development site on the front boundary and outside of the development site in neighbouring sites. Furthermore, due to its orientation only a small part of the site

and proposed fencing/gate fronts the street with most being set back within the site further mitigating its impact. Whilst not being considered to constitute good design within the generally verdant and open street scene it should be noted that industrial sites in design terms are considered to be less sensitive with less weight applied to the design aspects of the site. Additionally the fencing proposed is itself industrial in appearance which in context of the prevailing materials in the area being grey sheet metal/cladding in addition to fencing at neighbouring sites it is not wholly out of keeping with the area. It is therefore considered that the proposed fencing on the site boundaries is not harmful enough to the character of the area to justify refusal of the application.

Highway and parking implications

The site is accessed to the north side of Meridian North on a gentle bend where Meridian West becomes Meridian North. The proposed access is already level with the highway and does not require alterations to the existing dropped kerb. Access to the site is currently blocked by existing bollards, with the area in front forming part of the wider access to the industrial unit immediately to the east of the site. Given the total width of the existing access, the area currently in front of the access way that is proposed to be re-opened for the proposed development is not required to serve the existing industrial unit to the immediate east and therefore the Highway Authority have no objections on this aspect of the proposal.

The proposed access would see the removal of the existing bollards to open up access to the site with the erection of a gate across the access, laying of additional hardstanding for access/parking within the site and the closing of the existing connection to the unit to the east of the site. The outward opening access gates will be set approximately 8.8m back from the public highway.

The objection from the Braunstone Town Council highlighted a concern about the opening of a new access in close proximity to existing neighbouring accesses particularly in respect of pedestrians and vehicular users of the sites. The Town Councils objection also advised that it considered that the schemes poor design had resulted in a cramped layout which resulted in conflict between HGV and off street parking with pedestrian movements on site and the potential for vehicles to back up onto the highway.

County Highways were consulted on the application and did not highlight concerns regarding proximity to neighbouring accesses whilst advising they considered vehicular and pedestrian visibility splays could be achieved. Additionally following submission of Swept Path Analysis it was advised that articulated vehicles could satisfactorily egress the site to/from the west and they were satisfied that such a vehicle could undertake egress manoeuvres to the east. In the absence of an objection from County Highways supporting this concern it is considered that the opening of this access is acceptable.

The consultation from highways did not highlight concerns regarding pedestrian movement within the site though concerns of vehicles backing into the highway were raised in respect of the setting of the gates. Assessing the Swept Path Analysis for HGV turning facilities within the site it is shown that an HGV could be turned within the

site whilst leaving separation to parked vehicles and was accepted by highways. The lack of a pedestrianised access to the warehouse through the site is considered to represent a level of risk due to the orientation of the site providing an elongated access however this is not uncommon for an industrial unit of this size and in practice is likely to see vehicles travelling at low speeds regardless. In the absence of an objection from County Highways on this matter it is considered that a reason for refusal of the application on the grounds of potential risk to pedestrians could not be supported particularly when weighed against the public benefits of the scheme.

Initial comments from Highways requested additional information due to the setting of the proposed access gates approximately 8.8m from the highway where Leicestershire Highways Design Guidance (LHDG) advise a distance of 15m. Technical note TN01 – Response to LHA Comments, provided to address Highways objection, identified a number of other units within Meridian Business Park which featured shorter or comparable set back distances to access gates and outlined that the gates are proposed for security purposes outside of operational hours only. The gates could either be left open during operational hours, managed for driver to call ahead for the gates to be opened prior to arrival or in the event that they are closed it was reasoned that the process of opening the gates would not take long. The transport statement and technical notes provided evidence that the highway is lightly trafficked in this location, an assessment not challenged by the Highway Authority, and therefore state that disruption from vehicles waiting in the highway would be minimal. County Highways have accepted this assessment and advised that they consider the setting of the gates to be acceptable. Given this assessment it is considered the concerns from the Town Council regarding the potential for vehicles to back up into the highway couldn't be substantiated.

In respect of the provision of parking spaces, the applicant submitted "Technical notes TN01 – Response to LHA Comments and TN02 – Updated Response to LHA Comments" which provided a parking assessment with reference to the TRICS database standards. The assessment data based on a warehouse (commercial) land use indicated a maximum demand of 22 vehicles for off-street parking spaces which would allow additional capacity for unexpected peaks. The data further assessed that maximum accumulation for a warehouse (commercial) would be 4 HGVs which is within the number of spaces provided and could be managed by the occupier. County Highways accepted the methodology of the parking assessment with the findings being considered to be robust and are satisfied with the proposed parking provision for the site.

County Highways further advised they are satisfied with the level of motorcycle and cycle space provision though requested final details of the cycle provision be provided by condition.

Whilst not currently proposed, it was highlighted by the applicant within the submitted Design and Access Statement that given the internal haunch height, a first floor mezzanine could be accommodated in future. Your Officers consider that the addition of a first floor mezzanine could unacceptably intensify the use of the proposed off street parking provision beyond the levels outlined in the parking assessment provided with the application. To ensure suitable off street parking provision is retained available to serve this development it is considered necessary to restrict the provision of any

future internal mezzanine by condition. Similarly it is considered any outdoor working/fabrication/manufacturing, external storage of goods/equipment/materials or external plant/machinery could negatively impact the provision of parking and turning facilities within the site so it is considered necessary to additionally restrict these activates by condition.

Given County Highways advice that the proposed development would not have an unacceptable impact on highway safety it is considered that the proposal complies with relevant policies and is acceptable in respect of its highways impact.

Surface water management

The application site is entirely within Flood Zone 1, which has a low probability of flooding although a risk of surface water flooding was identified within the applications flood risk assessment and in comments received from LLFA. It was accepted by the LLFA that the surface water risk could be managed through a suitable drainage scheme, the submission of which is proposed to be ensured by the imposition of conditions.

Comments from Severn Trent identified a service apparatus adjacent to the site in addition to advice that foul and surface water sewer connections would need to be agreed through a section 106 sewer agreement. These are issues to be addressed outside of the planning process and are recommended to be addressed by a note to applicant on the decision notice.

In the absence of a substantial objection from statutory consultees and advice from LLFA that they are satisfied that the surface water risk can be managed by conditions the proposal is considered to comply with policy CS22.

Overall Planning Balance and Conclusion

The location of the proposed development is close to major highway infrastructure and other commercial developments contributing to the site being in a suitable and sustainable location. Additionally the site includes areas of new landscaping in addition to the retention of significant existing landscaping on the site boundaries which contributes to a net gain in biodiversity.

There are no overriding environmental constraints to preclude this proposed sustainable development, which would deliver significant and permanent economic benefits to the District of Blaby. No objections have been received from statutory consultees having particular regard to implications for local ecology, flood risk and highway safety.

The proposed development is in conformity with the Development Plan. The three dimensions of sustainable development have been considered (economic, social and environmental) as set out in the NPPF, and taking into account the adopted Development Plan considerations and all other material considerations your Officers are of the view that the proposal is acceptable and accordingly it is recommended that planning permission is granted subject to the stated conditions.

23/0541/FUL **Registered Date 22 June 2023** **Miss Philippa West**

Change of use of utility space to a dog grooming room.

1 Fosse Close, Sharnford

Report Author: **Matt McConville, Major Schemes Officer**
Contact Details: **Council Offices. Tel: 0116 2727730**

RECOMMENDATION:

THAT APPLICATION 23/0541/FUL BE APPROVED SUBJECT TO THE CONDITIONS SET OUT BELOW.

1. 3 year time limit
2. Approved plans
3. Hours of operation 9am to 5pm Monday to Saturday only and no use on Sundays or Public Holidays.
4. Details of any extraction equipment to be submitted and approved.
5. Change of use relates to area shown red on Site Location Plan only.
6. No more than two staff operating the use.

NOTES TO COMMITTEE

This application has been brought to the Planning Committee as the applicant's partner works for Blaby District Council.

Relevant Planning Policy

National Planning Policy Framework (NPPF) (July 2021)

National Planning Practice Guidance

Blaby District Local Plan (Core Strategy) Development Plan Document (2013)

Policy CS1 – Strategy for locating new development
Policy CS2 – Design of new development
Policy CS6 – Employment
Policy CS10 – Transport Infrastructure
Policy CS24 – Presumption in favour of sustainable development

Blaby District Local Plan (Delivery) Development Plan Document (Adopted Feb 2019)

Policy DM1 – Development within the Settlement Boundaries
Policy DM8 – Local Parking and Highway Design Standards

Other supporting documents: Leicestershire Highways Design Guide

Consultations

Blaby District Council, Environmental Services – No objections subject to conditions controlling hours of operation. Advises that the proposed hours and work activities appear reasonable, as well as the approach of dealing with one dog at a time with individual appointment times. Recommends notes to applicant regarding dealing with waste, day care not being permitted, statutory nuisance, and windows and doors being kept closed.

Leicestershire County Council, Highways – No objections. Advises that the impact on highway safety is not unacceptable and the impacts on the road network would not be severe. Due to the size of the proposal it is not expected there would be more than one visitor to the premises at a time.

Representations

One letter of representation (neither objecting to nor supporting the application) has been received in respect of the proposal. The following comments are made.

- Correct drainage should be provided so that surface water does not drain onto the public highway.
- Drainage should not exceed the capacity of the sewage pumping station and be connected to the foul water system.
- Adequate parking should be provided.

Relevant History

98/0845/1/PY – Single Storey Front Extension to Form Porch - Approved

15/0261/HHPD – Single Storey Rear Extension – Prior approval not required

16/0433/HHPD - Single Storey Rear Extension- Prior approval not required

EXPLANATORY NOTE

The Site

1 Fosse Close is located towards the south-west edge of Sharnford off a residential cul-de-sac bordering open countryside. The surrounding residential area comprises 1.5 and single storey semi-detached and detached properties. The application property is a semi-detached 1.5 storey dwelling set back from the road by a front garden with 3 parking spaces and a garage space. The utility room which will form the dog grooming area is set to the east side of the house, on the opposite side to the attached dwelling (4 High Lees) and is accessible by a side passage to the east of the property. It measures approximately 2.3m in width by 4.1m in length.

The flank wall of the neighbouring dwelling to the east side (3 Fosse Close) which runs along the edge of the side passage has three windows (two of which are obscure glazed top opening) at first floor level. The utility room has a window facing the rear

garden and a door out to the side passage and already includes an open shower with the associated drainage. Minimal alterations will be required to create the grooming area.

The Proposal

The applicant has confirmed that:

- The business would be run by them and a work partner
- The dog grooming bookings would be a one in and one out service arranged through a website.
- The proposal will not require major alterations as the room will still be used as utility space after hours.
- The required equipment will be:
  - 1 x electric table (this moves up and down when needed, so it's in the correct position depending on the size of dog).
  - 1 x Hair dryer which would be portable on wheels, that would be plugged in when used, and unplugged when not.
  - 1 x cordless dog clipper.
  - Scissors, stripper, brushes, and combs.
- The proposed business hours would be 9.00am-3.00pm Mon-Fri and 9.00am-1.00pm Sat.
- Up to 4 dogs a day + 2 on Saturdays will be groomed, all with individual appointment times (1½ hours per dog) - up to 22 dogs a week.
- Dogs will not be on the premises more than one and a half hours, as this causes them to be stressed. There will be a crate near the door, in case an owner is running late. All customers will be contacted via text or email, to let them know a collection time.
- The property provides 4 car-parking spaces (including a garage).
- The utility room is currently a wet room, with a non-slip floor, extractor fan and hair trap in the level access shower. The extractor fan is humidity controlled. The applicant has acknowledged that they will need to contact the planning department if a larger extractor fan becomes necessary.
- The room has a separate access at the side of the house, and has a connecting door to the living area. There are two gates, one at the front and one at the back of the house, to stop visiting dogs escaping or getting onto the garden.
- There will be a website for the business where customers will book appointments and provide information.
- There is one window and door in the room to outside. The window and door will not be open unless there is excessive heat.

<u>Planning Considerations</u>

National Planning Policy Framework (2021)

The National Planning Policy Framework establishes the key principles for proactively delivering sustainable development through the development plan system and the determination of planning applications. It sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high

level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). These objectives are:

- An economic objective
- A social objective
- An environmental objective

For decision-taking this means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Blaby District Local Plan (Core Strategy) Development Plan Document (2013)

<u>Policy CS1 – Strategy for Locating New Development</u>

The policy supports sustainable development by encouraging most new housing and employment development towards locations within and adjoining the Principal Urban Area (PUA) of Leicester. Outside the PUA development is focused towards Blaby (which has the Districts only designated town centre) and then down the sequential order of sustainable settlements set out in the housing distribution Policy CS5. Sharnford is classed as a 'Smaller Village' where the policy states lower levels of growth will be allowed, with the scale of development reflecting the settlement's range of available services and facilities and public transport alternatives.

<u>Policy CS2 – Design of new development</u>

Policy CS2 Seeks to ensure that a high quality, safe and socially inclusive environment is achieved in all new development proposals, respecting distinctive local character and contributing towards creating places of high architectural and urban design quality. New development should also provide opportunities to enhance the natural and historic environment.

Policy CS6 – Employment:

Policy CS6 indicates that the District Council will work with employers to ensure that the District has a range of employment opportunities. The policy is underpinned by the objective of providing an appropriate quantity, quality and mix of employment opportunities to meet the needs of current and future populations. Whilst the policy does not refer to employment development in the 'Smaller Villages' it does refer to enabling development of small scale employment uses away from the Principal Urban Area. It also allows for the provision of live-work units on residential proposals, subject to these being capable of implementation without adverse impacts on amenity.

Policy CS10 – Transport infrastructure

Seeks to reduce the impact of new development on the highways network by locating new development so people can access services and facilities without reliance on private motor vehicles. Opportunities for safe sustainable and accessible transport modes (including walking, cycling and public transport) will be maximised.

Policy CS24 – Presumption in Favour of Sustainable Development

Indicates that when considering development proposals Blaby District Council will take a positive approach that reflects the presumption in favour of sustainable development.

Blaby Local Plan Delivery Development Plan Document (Delivery DPD) (2019)

Policy DM1 – Development within the Settlement Boundaries

This policy seeks to support development which is consistent with the Local Plan and is located within the boundaries of existing settlements where the proposal:

- would not unduly impact on neighbouring uses,
- is in-keeping with the character and appearance of the area,
- is not overdevelopment,
- is acceptable in layout design and external and appearance; and
- would not prejudice the development of a wider area.

The application site lies within the settlement boundary shown on the policies map.

Policy DM8 – Local Parking and Highway Design Standards

Seeks to provide an appropriate level of parking provision which complies with Leicestershire Local Highway Guidance and is justified by an assessment of the site's accessibility, type and mix of housing and the availability of and opportunities for public transport.

Leicestershire Highways Design Guide

The Design Guide sets out the County Council's principles and polices for highways Development Management. The guidance is intended to be used in the design development layouts to ensure they provide safe and free movement for all road users. It aims to:

- provide road layouts which meet the needs of all users and do not allow vehicles to dominate;
- create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and
- help create quality developments in which to live, work and play.

Material Considerations:

Planning applications must be determined in accordance with the provisions of the Development Plan unless there are material considerations which indicate otherwise. All material considerations must be carefully balanced to determine whether the negative impacts outweigh the positive impacts to such a degree that the adopted policies of the Development Plan should not prevail.

Taking into account the Development Plan Policies set out above the considerations relevant to the determination of this application are:

- The principle of the development
- The impact of the development on the amenity of nearby and future residents;
- The impact of the development on the surrounding highway network;
- Flooding and drainage;
- Overall planning balance and conclusion.

The principle of the development

Sharnford is classed as a smaller village within the adopted Local Plan. However, small scale employment development such as this proposal is still considered acceptable in principle provided it does not conflict with the material considerations set out below.

The limited size of the room added to the conditioned restricted hours and time it takes to groom one dog would limit the ability of the business to grow to a level which is considered excessive for the village or for the residential location in which it is situated.

The impact of the development on the residential amenities of adjacent occupiers

The hours of operation will be conditioned to ensure that no harm arises from visitor arrivals at unsociable hours. It is considered reasonable to limit operational hours to the standard working hours allowed for similar uses even though these are less restricted than those set out on the application form.

There is no expectation that this development would cause vibrations or emissions due to any proposed machinery. Dog grooming equipment is likely to be quiet to ensure that dogs are not distressed by loud noises. If it is found that a new extractor fan is required for the business, this should be agreed at a later stage by the Planning Department prior to installation – this will be conditioned.

The dog grooming business would be operated from an existing utility room with the main window facing the garden. It does not require any extension or installation of new openings that would worsen privacy and overlooking of neighbouring properties.

The utility room, which can be closed off from the rest of the house, is located on the east side of the dwelling away from the adjoining semi-detached property (4 High Lees) to the west side.

Whilst the utility room can be accessed via a door from the internal hallway it is likely that dogs will enter via the external door to a passageway between the flank elevations of the application property and the neighbouring semi-detached dwelling (3 Fosse Close). Both the application property and 3 Fosse Close have first floor openings in the flank elevations.

The applicant has suggested operational restrictions to limit the impact of the business to an acceptable level. This includes the one-in-one out pre-booking system and limits to the hours of operation which together with the small scale of the room would help restrict the scale and related impact of the new use.

The application form indicates that there will be a second employee at the business who is unlikely to be one of the property owners. Whilst it is often the case that the operation of the business is limited to the occupiers of the application property, it is considered that, in this instance, such a limitation is not necessary given the number of car parking spaces available, the short term turnaround of customers cars and the limitations on operation outlined in the paragraph above which can be secured by condition, and will successfully control the scale and nature of the business.

The potential for noise to be generated in the passageway as dogs access the grooming / utility room is recognised. However it is considered that the limited number of dogs per day added to the restricted opening hours would ensure that this did not become unduly detrimental.

It is therefore considered that the neighbouring amenity is unlikely to be unduly harmed by the proposed change of use through harmful noise and disturbance.

There are no properties to the rear of the house that would be affected by the proposal.

<u>The impact of the development on the character and appearance of the area</u>

The impact caused by the dropping up and picking up of up to four dogs a day is not considered unduly detrimental given the size of the parking area. The utility room is located within the existing property and its use for dog grooming would not change the appearance of the property and as such would not impact on the character and

appearance of the area. It is not therefore considered that the proposal would unduly impact on the character and appearance of the area.

The impact of the development on the surrounding highway network

The Local Highway Authority (LHA) has assessed the proposals and concluded that the proposed development would not result in a severe impact on the existing highway network. Due to the size of the proposal and presence of a single grooming table the LHA would not expect more than one visitor to the premises at one time.

Furthermore, this is likely to be operated on an appointment only basis according to the application form due to the residential location of the proposed development and the staffing level of applicant and one other employee.

Flooding and Drainage

The existing sink and shower are already attached to the mains sewer. The shower also has a trap to catch any loose hair. The limited size of the business would be such that it would not impact unduly on flooding and drainage.

Overall Planning Balance and Conclusion

The application seeks the change of use of an existing small utility room to enable a small business to operate from a residential property, therefore, supporting a small-scale local business/employment opportunity. The principle of the development is considered to be acceptable in this location.

The hours proposed for working generally can be controlled by planning condition to ensure that they are not unreasonable or anti-social given the residential nature of the area. The proposal would not unduly impact on the character and appearance of the area, or cause increased flood risk.

The small-scale nature of the business, the size of the room in which it will be operated and the limited one in and one out appointments would restrict the number of customers and visitors to the premises to a level which is considered acceptable.

Overall, the proposed development is in conformity with the Development Plan. The three dimensions of sustainable development have been considered (economic, social and environmental) as set out in the NPPF, and taking into account the adopted Development Plan considerations and all other material considerations your Officers are of the opinion that the proposal is acceptable, and accordingly it is recommended that planning permission is granted subject to the stated conditions.

INFORMATION REPORTS

Committee	Name of Report	Officer
Planning Committee – 05/10/2023	Planning Appeals Delegated List	Kristy Ingles – Development Services Manager Tel: 0116 272 7565

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PLANNING COMMITTEE

For Information Only

PLANNING APPEAL DECISIONS ISSUED
8 SEPTEMBER TO 26 SEPTEMBER 2023

Since the publication of papers for June 2023 planning committee, the Planning Inspectorate has issued decisions on the appeals listed below.

Application reference:	**22/0757/OUT**
PINS reference:	APP/T2405/W/23/3315106
Site address:	12 Skye Way, Countesthorpe
Description:	Outline application for one dwelling (with access, layout and scale for approval at this stage) (resubmission of application 21/1363/OUT)
Appellant:	Mr Justin Hughes and Mr Jacob Hughes

Appeal **DISMISSED** on 12 September 2023.

Background papers and a copy of the appeal decision can be viewed on the Council's website – https://www.blaby.gov.uk/planning-and-building/planning-applications/search-for-applications/ or by contacting the Development Services Team (0116 272 7705).

PLANNING COMMITTEE
For Information Only

PLANNNG APPEAL START LETTERS ISSUED
8 SEPTEMBER TO 26 SEPTEMBER

Application Number:	**E23/0128/COU**
PINS reference:	APP/T2405/C/23/3325929
Site address:	Land at Sapcote Quarry, Leicester Road, Sapcote
Applicant:	Mr John Mac
Appeal Procedure:	Written Representations
Appeal start date:	14 September 2023
Deadline for submitting representations:	26 October 2023

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PLANNING COMMITTEE

For Information Only

APPROVALS ISSUED UNDER DELGATED POWERS

Plan No.	Name of Applicant and Development	Parish
23/0377/HH	Ms Autumn Harrison 46 Croft Road Cosby Leicestershire Two storey and single storey rear extensions	Cosby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0379/FUL	Mr Philip Achurch Unit 7 Ashville Way Whetstone Two-storey side extension to existing commercial unit	Whetstone Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0383/HH	Mr Singh 193 Hinckley Road Leicester Forest East Leicester Porch, rear extension and roof replacement	Kirby Muxloe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0393/HH	Mr Tony Rowan 60 Park View Sharnford Leicestershire Single storey side extension including mezzanine, along with removal of internal garage	Sharnford Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0413/HH	Mr David Frisby 23 Trinity Road Enderby Leicestershire Single storey rear extension, erection of open porch canopy across front elevation and application of render to front and rear elevations.	Enderby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0416/HH	Mr Herjinder Singh Kauldhar 9 Charlecote Avenue Braunstone Town Leicestershire Erection of single storey outbuilding in rear garden for use as residential annex.	Braunstone Town Council

Plan No.	Name of Applicant and Development	Parish
23/0440/HH	Mr & Mrs Bateson 14 Kestrel Close Leicester Forest East Leicestershire Single storey side extention, garage conversion into living accommodation and front entrance porch	Leicester Forest East Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0443/FUL	Miss Kelly Holland 1 Sports Road Glenfield Leicestershire Erection of a single storey outbuilding and associated change of use to a hairdresser	Glenfield Parish Council

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Plan No.	Name of Applicant and Development	Parish
23/0485/HH	Mrs C Moore 7 Woodhouse Road Narborough Leicestershire Two storey side extension and single storey rear extension, along with the demolition of the existing conservatory	Narborough Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0488/HH	Mr & Mrs Percy & Lydia Chinyani 59 Barry Drive Kirby Muxloe Leicestershire Single storey rear extension.	Kirby Muxloe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0490/HH	Mr and Mrs Rathbone 21 Rookery Close Sapcote Leicestershire Retention of outbuilding and erection of fence	Sapcote Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0516/TPO	IG Environmental Services 6 Willoughby Road Countesthorpe Leicestershire Remove T2 Cypress (Lawson) and T3 Maple (Norway)	Countesthorpe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0519/HH	Mr Jamie Bates 53 Leicester Road Narborough Leicestershire Erection of brick pillar to existing front boundary wall, alterations to existing brick pillar, installation of gate and existing tarmacadam drive to be replaced with 20mm pea gravel (approx.) finish surface	Narborough Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0521/HH	Mr Chris Pittard 60 Grove Road Blaby Leicestershire Side and rear single storey extension	Blaby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0528/HH	Mr And Mrs Adrian And Kate Huszar 72 Laurel Road Blaby Leicestershire Single storey rear and front extension, along with pitched roof over two storey side extension	Blaby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0530/HH	Stinson 26 Triumph Road Glenfield Leicestershire Single-storey rear extension	Glenfield Parish Council

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Plan No.	Name of Applicant and Development	Parish
23/0531/HH	Mr Owen Griffiths 47 Leicester Road Glen Parva Leicestershire Two Storey Rear Extension	Glen Parva Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0535/HH	Mr P Shrivastava 2 Isobella Road Thorpe Astley Braunstone Town Single storey rear extension and conversion of garage into bedroom and en-suite (part retrospective)	Braunstone Town Council

Plan No.	Name of Applicant and Development	Parish
23/0537/HH	Mr C Everitt 2 Towers Drive Kirby Muxloe Leicestershire Erection of single storey rear extension and alterations to roof over existing and new extensions	Kirby Muxloe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0542/HH	Mr and Mrs D. Whatsize 52 Broadfield Way Countesthorpe Leicestershire Two storey side extension	Countesthorpe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0558/HH	MR SAM OUSSIA 2 Carlton Avenue Narborough Leicestershire Two storey side and rear extension and canopy above new front door	Narborough Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0561/HH	Mr Mark Humphrey 80 Woodland Drive Braunstone Town Leicestershire Erection of garage/carport to side (including conversion of existing garage)	Braunstone Town Council

Plan No.	Name of Applicant and Development	Parish
23/0569/HH	Mr Rajinder Singh 37 Queens Drive Leicester Forest East Leicestershire Canopy above front door, raising of roof and associated alterations to create first floor accommodation and single storey rear extension	Leicester Forest East Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0570/HH	Mr Ryan Lunt 49 The Pastures Narborough Leicestershire Erection of outbuilding at the front of the property.	Narborough Parish Council

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Plan No.	Name of Applicant and Development	Parish
23/0579/HH	Mr & Mrs Tometzki 1 Gayton Heights Enderby Leicestershire Single storey front, side and rear extensions and associated alterations	Enderby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0580/HH	Mr Lakhvinder Singh 29 Una Avenue Braunstone Town Leicestershire Single storey side and rear extension and associated alterations	Braunstone Town Council

Plan No.	Name of Applicant and Development	Parish
23/0581/HH	Mr Jamie Crawley 14 Croft Road Cosby Leicestershire Single Storey Rear Flat Roof Extension	Cosby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0582/HH	Christine Orton 114 Braunstone Lane Braunstone Town Leicestershire Single storey side and rear extensions with associated alterations	Braunstone Town Council

Plan No.	Name of Applicant and Development	Parish
23/0588/HH	Mr & Mrs Eld Eld 25 Woodcote Road Braunstone Town Leicestershire Single Storey Side Extension	Braunstone Town Council

Plan No.	Name of Applicant and Development	Parish
23/0589/HH	Mr Cain Adcock 12 Martin Avenue Kirby Muxloe Leicestershire First floor side extension, dormer windows to rear, single storey front and rear extensions and associated alterations	Kirby Muxloe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0619/TC	Aggregate Industries UK Ltd Croft Quarry Coventry Road Croft Fell two sycamore trees (Tree Nos. 39 and 40 located to north of Rose Cottage, Huncote Road, Croft)	Croft Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0625/TC	Aggregate Industries Bank Of River Soar Land To East Of Station Road And South Of Hill Street Croft Pollarding of 14 willow trees	Croft Parish Council

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Plan No.	Name of Applicant and Development	Parish
23/0627/HH	Mrs Donna Eastwood 24 Gillam Butts Countesthorpe Leicestershire New window to side elevation and new roof to the existing conservatory	Countesthorpe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0628/HH	Sandra Garner 37 Victoria Road Whetstone Leicestershire Retention of single storey rear and side extension (amended scheme to 22/0517/HH)	Whetstone Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0643/FUL	Hitesh Dhorajiwala The Chataway East Avenue Whetstone Proposed two storey side extension, first floor rear extensions and installation of lift to front elevation. Increase from 14 bedrooms to 16 bedrooms of existing care home. Internal alterations.	Whetstone Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0649/TPO	Mr Tilley Oakmere Grange Peckleton Lane Leicester Forest West T1 Norway Maple - Fell; T2 Norway Maple - Fell. Re-planting of 1 x Full Standard replacement tree in next planting window.	Leicester Forest West Parish Meeting

Plan No.	Name of Applicant and Development	Parish
23/0677/TC	Mrs Ruth Stone 9 Northfield Road Blaby Leicestershire Cutting back of 1 cherry tree to side of property and cutting back of 1 oak tree to rear of property.	Blaby Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0678/NMAT	Callum And Becky Webster 20 Cromford Road Cosby Leicestershire Application for non-material amendments to planning permission reference 22/0184/HH.	Cosby Parish Council

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Plan No.	Name of Applicant and Development	Parish
23/0679/NMAT	Mrs Hazel Barnard Parcel R10 Tweed Street Lubbesthorpe Non-Material amendment to reserved matters 21/0157/RM to replace Ibstock Windsor brick with Ibstock Hardwicke Welbeck Autumn Antique to plots - 20, 62, 71-75inc, 78, 79, 87, 91, 92, 119, 121, 122, 124, 127, 128, 132, 133 and 137.	Lubbesthorpe Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0701/NMAT	Mr. J. Odedra 10 Bute Way Countesthorpe Leicestershire Non-material amendment to application 22/0808/HH for addition of a roof light.	Countesthorpe Parish Council

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REFUSALS ISSUED UNDER DELGATED POWERS

Plan No.	Name of Applicant and Development	Parish
23/0476/FUL	Rachel Smiles Netherby House Huncote Road Croft Erection of 1 two storey detached dwelling and detached garage to south of Netherby House (amended scheme to 22/0996/FUL)	Croft Parish Council

Plan No.	Name of Applicant and Development	Parish
23/0637/TEL	Mr Cameron Wilson Hillsborough Road / Leicester Road Junction Glen Parva Blaby District Proposed 15m 5G telecoms installation: H3G street pole and additional equipment cabinets.	Glen Parva Parish Council

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