

DATE: 30 January 2024
MY REF: Planning Committee
YOUR REF:
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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, 8 FEBRUARY 2024** at **4.30 p.m.** for the transaction of the following business and your attendance is requested.

Yours faithfully



Louisa Horton
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 - 12)

To approve and sign the minutes of the meeting held on 11 January 2024 (enclosed).

4. Application for Determination (Pages 13 - 28)

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, 11 JANUARY 2024

Present:-

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

Cllr. Cheryl Cashmore	Cllr. Richard Holdridge	Cllr. Neil Wright
Cllr. Tony Deakin	Cllr. Dillan Shikotra	
Cllr. Helen Gambardella	Cllr. Bob Waterton	

Substitute:-

Cllr. Helen Gambardella (In place of Cllr. Bev Welsh)

Officers present:-

Cat Hartley	- Planning & Strategic Growth Group Manager
Kristy Ingles	- Development Services Manager
Ian Davies	- Development Services Team Leader
Stephen Dukes	- Development Services Team Leader
Linda Durham	- Solicitor
Jill Sampson	- Major Schemes Officer
Charlene Hurd	- Senior Planning Officer
Tom White	- Senior Planning Officer
Sandeep Tiensa	- Senior Democratic Services & Scrutiny Officer
Nicole Cramp	- Democratic & Scrutiny Services Officer
Isaac Thomas	- Democracy Support Officer

Apologies:-

Cllr. Bev Welsh

1. DISCLOSURES OF INTEREST

- Cllr. Mike Shirley** - 28/0845/OUT, Land at Strawberry Cottage, Hinckley Road, Sapcote
- Nature of Interest - Other Registerable Interest
- Extent of Interest - Cllr. Shirley has previously attended a presentation by the applicant but did not take part in the discussion. Cllr. Shirley has arrived at the meeting with an open mind and will take part in the discussion and vote on the item.
- Cllr. Bob Waterton** - 21/1497/FUL, Abbey Farm, Lubbesthorpe Bridle Road, Lubbesthorpe
- Nature of Interest - Other Registerable Interest
- Extent of Interest - Cllr. Waterton is the Chairman of the Braunstone Town Council Planning and Environment Committee. Cllr. Waterton has arrived at the meeting with an open mind and will take part in the discussion and vote on the item.
- Cllr. Bob Waterton** - Tree Preservation Order – Brockenhurst Drive, Braunstone Town
- Nature of Interest - Other Registerable Interest
- Extent of Interest - Cllr. Waterton is the Chairman of the Braunstone Town Council Planning and Environment Committee. Cllr. Waterton has arrived at the meeting with an open mind and will take part in the discussion and vote on the item.

2. MINUTES

The minutes of the meeting held on 30 November 2023, as circulated, were approved and signed as a correct record.

3. APPLICATIONS FOR DETERMINATION

Considered – Report of the Major Schemes Officer.

21/1497/FUL

**Mr Martin Ward, Mather Jamie for Trustees of ERB Drummond
(Deceased)**

Restoration and Conversion of Abbey Farm site and buildings for 7 dwellings (6 net) and offices under use classes C3 and E(g)(i) and (ii) respectively, demolitions and new building works, laying out of the site including access works, surface and foul water drainage and package plant, parking areas, waste bin storage areas, pedestrian routes, screen walls and landscaping, including a new pond, tree and hedge planting and removals.

Abbey Farm, Lubbethorpe Bridle Road, Lubbethorpe

DECISION

THAT APPLICATION 21/1497/FUL BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. 3 year time limit
2. Approved plans & documents
3. Demolition method & construction environmental/traffic management plan to be submitted.
4. Remediation strategy to be submitted, along with a requirement to address any unexpected contamination found during development and a requirement for the submission of a verification report, following implementation of the approved remediation strategy.
5. Scheme to be carried out in accordance with agreed archaeology programme.
6. Detailed design of the proposed offsite highway works (passing bay and strip widening) prior to commencement.
7. Scheme for the treatment of the Public Right of Way W118 to be submitted to include provision for management during construction, surfacing, width, structures, signing and landscaping, together with a timetable for its implementation.
8. Bridleway / Public Right of Way management plan to be submitted, to include details of temporary diversion, fencing, surfacing, signing and a timetable for provision.
9. Elevation plans showing the location and type of integrated bat boxes to be submitted
10. Swallow mitigation scheme to be submitted.
11. New vehicular accesses not to be first brought into use until existing vehicular accesses to the courtyard on Lubbethorpe Bridle Way that have become redundant as a result of the proposal have been closed

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Planning Committee - Thursday, 11 January 2024

- permanently to all vehicular traffic and the proposed pedestrian only entrance gate at the site frontage, along with the highways and verge reinstatement works have been installed in accordance with the details shown. The new gated pedestrian access shall be retained and maintained as such, with no access for vehicular traffic in perpetuity.
12. Access arrangements including pedestrian and vehicular visibility splays as shown to be implemented in full and the parking and turning facilities including the provision of the proposed delivery bay to be implemented as shown. On-site parking, turning and delivery bay provision to be kept available for such uses in perpetuity.
 13. Statement of good practice letter, to include photographs of the integrated bat boxes in situ, signed by the consultant ecologist, to be submitted.
 14. Details and location of an historic interpretation board to be provided in accordance with agreed details.
 15. Landscape management plan to be submitted.
 16. Approved landscaping to be carried out within 12 months of completion and to be maintained & retained in perpetuity in accordance with approved details.
 17. No gates, barriers, bollards, chains or other such obstructions to be erected to the vehicular accesses.
 18. The development to be implemented in strict accordance with the approved Precautionary Method Statement (ecology).
 19. To avoid potential disturbance or harm to nesting birds and bats, works on all buildings to be retained shall only commence between the months of September - March inclusive.
 20. The commercial waste servicing arrangements for the development to be carried out strictly and only in accordance with the details contained within Technical Note JNY10507-07- Commercial Waste Collection. The commercial waste servicing arrangements for the site shall conform to the details within this document in perpetuity.
 21. No further gates, walls, fences or other means of enclosure within 15m of the Public Right of Way (W118).
 22. Drainage systems to be designed, installed, operated and maintained in accordance with manufacturer's instructions
 23. Development to be carried out in accordance with approved noise report and installed and maintained in accordance with the manufacturer's instructions, along with the submission of a verification report following completion of the noise related works.
 24. The buildings identified for offices and dwellings shall not be used for any purpose other than their approved uses; office E(g) (i & ii) and residential dwellings (C3) and for no other uses within Class E or outside of C3 unless otherwise agreed in writing by the LPA.
 25. Operational hours restrictions regarding the commercial uses 8am – 6pm Monday – Saturday. Unless otherwise agreed in writing.
 26. No further new openings, extensions, additions or out-buildings or any further fences, gates, walls, means of enclosure or free standing

structures.

27. Use of converted stables restricted as ancillary to the use of proposed commercial office use and/or dwellings and not to be sold, let or sub-let.

The following additional condition was added to the list of conditions as set out in the report:

28. Development to be carried out in accordance with submitted materials unless otherwise agreed.
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Considered – Report of the Senior Planning Officer.

22/1204/FUL

Mr Andrew Mott, Exagen SPV02 Ltd

Construction and operation of battery energy storage facility, along with associated structures, access and landscaping

Land North East Of Earl Shilton, Earl Shilton Road, Earl Shilton

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. Maggie Wright - Ward Member
- Andrew Mott - Applicant

DECISION

THAT APPLICATION 22/1204/FUL BE APPROVED SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. Statutory 3 year condition to commence work.
2. Development to be built in accordance with approved plans and documents.
3. Details of materials to be agreed.
4. Permission granted for a period of 40 years from first export of electricity and site decommissioned and restored after this period.
5. In the event of the site being no longer required for the purposes of electricity storage, or ceases to operate for a continuous period of 6 months prior to the expiry of the 40 year period, a Decommissioning Scheme shall be submitted and approved and subsequently adhered to throughout the decommissioning of the site.
6. Detailed scheme for landscaping the site to be submitted and approved (including a proposed timetable for planting) and implemented in

- accordance with the approved plan.
7. Landscaping to be implemented within first planting season following commencement of development.
 8. No development shall take place until a Landscape and Ecological Management Plan (LEMP) is submitted to and approved in writing. The LEMP shall cover a period of 40 years management.
 9. Biodiversity Management Plan to be submitted and approved. Strategy to be based on submitted Biodiversity Net Gain metric and LEMP and adhered to for lifetime of the development.
 10. No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing.
 11. Tree protection measures to be undertaken in accordance with plans/ measures within the Arboricultural Impact assessment.
 12. Details of land levels, terracing details, retaining features and culvert crossing details to be submitted to and agreed prior to commencement of development.
 13. Prior to commencement of development, details and maximum heights of the substation shall be submitted to and agreed in writing.
 14. Prior to first use, details of any external lighting & CCTV provision to be agreed.
 15. No development shall commence until details of a Construction Environmental Management Plan (detailing measures to control off-site environmental impacts and highway impacts from the construction phase) are submitted and agreed, and adhered to during construction.
 16. Existing redundant access on Earl Shilton Road to be closed prior to development commencing.
 17. New access to be constructed in accordance with submitted plans prior to commencement of development.
 18. Parking facilities to be provided in accordance with approved plans prior to first use.
 19. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 15.0 metres of the highway boundary.
 20. Surface water and foul water drainage scheme during construction phase to be submitted and agreed.
 21. Noise levels not to exceed 5dB above background noise level when measured at nearest dwelling.
 22. Revised Noise Impact Assessment to be undertaken within 3 months of site coming into operation.
 23. No demolition/development shall take place/commence until the necessary programme of archaeological work has been completed.
 24. Surface water drainage scheme to be submitted and agreed.
 25. Details of long term maintenance of surface water drainage to be submitted and agreed.

Subject to the terms in conditions 4, 5 and 8 being amended from “30 years” to “40 years.”

Considered – Report of the Development Services Manager.

23/0094/DOC

Mr Justin Langton, Countryside Partnerships

Partial discharge of condition 11 (parts i, ii and iii) (scheme to deal with risks associated with contamination of the site) attached to planning permission 15/0176/OUT

Land To South West Of Cork Lane, Glen Parva

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:

- Steve Wilson – Applicant’s landfill gas consultant

DECISION

That the application for approval of details reserved by condition 11 parts i, ii and iii of planning permission 15/0176/OUT is APPROVED.

Considered – Report of the Development Services Team Leader.

23/0622/VAR

Marks and Spencer Plc

Variation to condition 8 attached to planning permission 08/0833/1/VY to specify the net sales area to be used for the sale of food.

Fosse Park Shopping Centre, Fosse Park Avenue, Enderby

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:

- James Singer – Agent

DECISION

THAT APPLICATION 23/0622/VAR BE APPROVED SUBJECT TO THE CONDITIONS SET OUT BELOW.

1. The car parking areas shall not be used for any purpose other than for the parking of vehicles unless otherwise agreed in writing by the District Planning Authority.
 2. No outside storage of waste materials shall take place on the site at any time except within purposely designated locations which shall first have received the approval of the District Planning Authority.
 3. Any oil installations shall be adequately bunded to contain loss or spillage, and surface water draining from such areas and from areas of oil usage and vehicle parking shall be passed through a suitable oil interceptor before discharge.
 4. Only uncontaminated surface water shall be discharged into any watercourse.
 5. That shall be no overall raising of existing ground levels within the washlands area without the prior written consent of the District Planning Authority.
 6. No individual unit hereby permitted shall be less than 929 square metres gross external measurement save that within the terraces washed yellow and green on plan 1902-100 (within the Section 106 agreement between Wexford Retail LLP and Blaby District Council, dated 14th November 2014) no more than six units at any one time may be occupied in units each of less than 929 square metres gross external measurement.
 7. Save as specified in condition 8 the buildings shall not be used for the sale of food other than confectionery and such food which may be sold within ancillary snack-bars, restaurants or coffee shops to be provided.
 8. Notwithstanding the Town and Country Planning (Use Classes) Order 1987 (or any subsequent reenactment with or without modification) no more than 20,000 sq ft (1,859 sqm) net sales space within the unit edged yellow on plan 0369-LFP173-A-415 shall be used for the sale of food; and no more than 5% of the net sales area of any other 3 retail units shall be used for the sale of ancillary food and drink for consumption off the premises. This restriction shall not apply to any instore café or restaurant.
 9. The access roads shall retain suitable provision for access to the Severn Trent Water Authority Pumping Station and allow for possible future access to the gravel deposits in the river valley.
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Considered – Report of the Senior Planning Officer.

23/0845/OUT

Mr. M. Woodward

Development of eight serviced plots to deliver self-build and custom dwellings (outline application for access only).

Land at Strawberry Cottage, Hinckley Road, Sapcote

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:

- Mr Stephen Mair – Agent

DECISION

THAT APPLICATION 23/0845/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 plots for self-build or custom dwellings:

AND SUBJECT TO THE IMPOSITION OF THE FOLLOWING CONDITIONS:

1. 3-year condition for submission of reserved matters and expiry date 2-years after approval of the reserved matters.
2. Approval of details for buildings, landscaping, layout and scale.
3. In accordance with approved plans.
4. Permission for a maximum of 8 dwellings only and designed to accord with the approved Design Code.
5. Programme of Archaeological work (WSI) to be submitted.
6. No occupation of any dwelling until site investigation (archaeology) carried out.
7. 5 metre protection of the southern boundary hedgerow.
8. Requirement to submit a Construction Ecological Management Plan.
9. Biodiversity Management Plan required to be submitted and approved.
10. Foul water drainage scheme to be submitted.
11. Surface water drainage scheme to be submitted.
12. Details of surface water management on site during construction to be submitted and agreed.
13. Access arrangements to be implemented as shown on the plans before first occupation.
14. No dwelling to be first occupied until vehicular visibility splays have been provided.
15. No gates, bollards, chains etc to be constructed across the access.
16. Prior to commencement of construction a Construction Method Statement

- to be submitted, agreed and subsequently implemented.
17. Further details of the pedestrian/footpath crossing to be submitted and agreed and no dwelling to be first occupied until the crossing is installed.
 18. Ground Remediation Statement to be submitted and agreed.
 19. Any identified Ground Remediation Works to be carried out.
 20. Reporting of unexpected contamination.
 21. Development to be constructed in accordance with the Arboricultural Impact Assessment (AIA).

Subject to condition 17 being amended to read as follows:

- Further details of the pedestrian/footpath crossing to be submitted and agreed and no dwelling to be first occupied until the crossing is installed.

4. **TREE PRESERVATION ORDER - BROCKENHURST DRIVE, BRAUNSTONE TOWN**

Considered – Report of the Senior Planning Officer.

DECISIONS

1. That the confirmation of the Tree Preservation Order on Land off Brockenhurst Drive be approved by the Planning Committee.
2. That Authority be delegated to the Planning and Strategic Growth Group Manager to confirm the Tree Preservation Order on Land Off Brockenhurst Drive, Braunstone Town.

Reason:

Having consideration of the representations received regarding the TPO, it is considered that there are insufficient grounds not to confirm the Order. The area of trees provides important visual amenity and amenity woodland, which can be viewed and accessed from Brockenhurst Drive, Lubbesthorpe Way and Mossdale Meadows.

THE MEETING CONCLUDED AT 7.08 P.M.

Blaby District Council

Planning Committee

Date of Meeting 8 February 2024
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 **29 January 2024** 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
	23/1040/FUL	15	Next, Desford Road, Enderby	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

Stephen Dukes
planning@blaby.gov.uk

Development Services Team Leader
0116 272 7705

23/1040/FUL

Registered Date
5 December 2023

Next Plc

Removal of temporary structures and erection of new storage building with service yard, reconfiguration of car parking spaces, pedestrian ramp and creation of staff amenity area.

Next Plc, Desford Road, Enderby

Report Author: Stephen Dukes, Development Services Team Leader

Contact Details: Council Offices. Tel: 0116 2727520

RECOMMENDATION:

THAT APPLICATION 23/1040/FUL BE APPROVED SUBJECT TO THE CONDITIONS SET OUT BELOW.:

1. 3 year time limit.
2. Approved plans.
3. Materials as per approved plans.
4. Landscaping scheme to be agreed (in line with BNG calculations)
5. Agreed landscaping scheme to be carried out.
6. Parking and turning areas to be implemented.
7. Development to be implemented in accordance with recommendations of Ecological Appraisal.
8. No external distribution from the storage building (storage ancillary to existing of site and distribution to staff only).
9. Details of fixed plant or machinery to be submitted and agreed.
10. Drainage details to be submitted and agreed.
11. Construction Environmental Management Plan (CEMP) to be submitted and agreed and adhered to.
12. Landscape and Ecology Management Plan (LEMP) to be submitted and agreed and adhered to (to ensure future management of BNG)
13. Details of any lighting to be submitted and agreed.

NOTES TO COMMITTEE

Policy and Relevant Guidance and Legislation

National Planning Policy Framework (NPPF)

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 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 Feb 2019)

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

Consultation Summary

Blaby District Council, Environmental Services – No objection. With regards to drainage, comments that the proposed drainage methods appear to be satisfactory. With regards to noise and disturbance, comments are made in relation to the proposed building having a service yard on the elevation facing Cottage Farm. However, given the current operations for this area of the site are currently on a 24/7 basis, the proposed use would be consistent with this. As the building is for on-site storage rather than distribution, the potential to cause off-site impacts is reduced. Comments are made that fixed plant, such as the condenser indicated, has the potential to generate noise that is audible at remote locations and therefore it is appropriate to require details of such plant to be submitted and agree. Conditions are recommended restricting direct distribution and requiring details of the fixed plant to be agreed.

Enderby Parish Council – No comments received

Leicestershire County Council, Archaeology – No objection. Comments that the application warrants no further archaeological action.

Leicestershire County Council, Ecology – No objection. Comments that the habitats present are of relatively low ecological value. A condition is recommended requiring the development to be implemented in strict accordance with the measures stated in Section 4 (Potential Impacts and Recommendations) of the Ecological Appraisal.

Leicestershire County Council, Forestry – No comments received.

Leicestershire County Council, Highways – No objection. The LHA reiterates that the proposed building would accommodate materials that are already stored on site as part of the existing activity and the Transport Assessment concludes that there would be no additional trip demands generated. The LHA is satisfied with the findings of the parking accumulation survey which found a minimum spare capacity of 265 spaces at the busiest time and notes that this was taken during school term time which is representative of normal conditions. The LHA cannot demonstrate that the proposed reduction in car parking spaces would result in any parking problems in the vicinity of the site. The LHA comments that whilst no tracking drawings have been submitted to demonstrate that Heavy Goods Vehicles could satisfactorily turn within the proposed service yard, given the distance from the public highway and the nature

of the proposed access, the LHA is satisfied that HGVs would not access the adopted highway network by reversing. A condition is recommended requiring the revised parking and turning to be implemented.

Leicestershire County Council, Lead Local Flood Authority – No comments received.

Narborough Parish Council – No objection.

Representations

None received.

Relevant History

96/0697/1/PX – Alterations and use of warehouse as offices and dining room extension and additional parking areas – Approved 17 October 1996.

97/0136/1/PX – Alterations and extensions and use of warehouse as offices, storage and staff house and car park extensions – Approved 4 April 1997.

02/0087/1/PY - Alterations to existing car park and Internal road layout to create an additional 22 parking spaces – Approved 5 June 2002.

02/0293/1/PX - Construction of a multi storey car park incorporating chauffeurs lodge & cycle parking – Approved 5 June 2002.

02/0885/1/PX - Demolition of existing warehouse building and erection of two storey office/call centre building with associated car parking – Approved 10 February 2003.

06/0363/1/PY - Change of use of land to provide additional car parking spaces – Approved 25 August 2006

10/0097/1/PY - Relocation of company bus stop with associated hand rails, creation of 20 new parking spaces and pedestrian crossing improvements – Approved 28 June 2010.

11/0313/1/PY - Re-configuration of existing car park to provide an additional 208 spaces – Approved 1 July 2011

11/0416/1/PY - Temporary use of land for 6 months for staff car parking – Approved 21 July 2011

11/0652/1/PY - Temporary use of land for 6 months for staff car parking (Revised Scheme) – Approved 25 October 2011

12/0821/1/PX - Erection of detached staff children's day nursery building (Use Class D1) including car parking, visitor dropping off points, outdoor play areas and associated landscaping – Approved 5 December 2012

13/0747/1/PY - Provision of pick-up/drop off parking area and associated landscaping to serve nursery facility – Approved 21 November 2013.

14/0102/1/PY - Creation of new access to Next Headquarters – Approved 28 March 2014

14/0115/1/PY - Temporary use of land for 18 months for staff car parking – Approved 17 April 2014

15/0729/FUL - Permanent retention of car parks and associated lighting, change of use of part of site to container storage area and the creation of an emergency exit on to Forest Road - Approved 07 March 2016

18/1456/FUL - Proposed alterations to exit to provide enhanced left turn lane, associated car parking alterations and landscaping – Approved 5 December 2018.

19/0719/FUL - Car park extension including additional landscaping and external lighting – Approved 11 September 2019

20/0320/FUL - Proposed extension to car park replacement farm access to Forest Road, associated lighting and landscaping works – Approved 1 October 2021.

23/0820/FUL - Reconfiguration of existing spaces, resurfacing, changes to landscaping, and installation of car park cameras and barriers to provide segregated parking area for nursery users – Approved 1 December 2023.

23/0861/FUL - Alterations to provide covered pedestrian access to existing car park – Approved 14 December 2023.

EXPLANATORY NOTE

The Site

The Next Head Office site is located on the northwest edge of Enderby to the southwest of the B582 Desford Road and opposite Beggars Lane. The site is within the Settlement Boundaries of Enderby (as shown on the Local Plan Policies Map) but is separated from the main settlement of Enderby by the M69 motorway. It is bordered by countryside to the northwest.

Next's headquarters has been based at the current Enderby site since 1986. The site has been progressively expanded since then, with successive additions or phases being constructed. The most recent addition was the purpose built Photo Studio completed in 2016. An on-site nursery was also built on site in 2012 and works to improve car parking for the nursery was part of a recent planning application, along with proposals to create a covered walkway across the expansive car park to the rear of the site.

The Proposal

The application is for the erection of a new storage building to be accommodated through the relocation of the current recycling facilities. The supporting information submitted indicates that in addition to the permanent buildings on site, the site also caters for various temporary requirements. Marquees are sometimes erected in the car park during sales periods, and containers are often required for particular internal projects. There is a container 'yard' currently located to the southwest of the nursery, currently filled with shipping containers housing various archive product samples, departmental assets and other materials.

The new building will provide for the following:

- A new location for staff 'Direct to Desk' collections (whereby staff can collect items ordered online whilst at the workplace);
- A permanent storage facility for samples currently stored in shipping containers across the site;
- Additional storage for homeware samples;
- General storage for IT equipment.

The associated external works to accompany the new storage building will provide:

- Recycling facilities relocated to the existing container yard.
- A new access ramp to the side of the multistorey car park to allow movement of goods to the Phase 6 building;
- New staff amenity space to the side of the multistorey car park.

The proposed storage building will be in Use Class B8 and will have a gross internal area of 1077 square metres at ground floor plus 1036.5 square metres at first floor, totalling 2113.5 square metres. The height of the proposed building is 9.05 metres whilst the nearby multistorey car park is 8.5 metres in height (although the multistorey is at a lower land level). Windows will be located on the north elevation facing the multistorey where the Direct to Desk collections area will be located. The elevation to the service yard will include roller shutter doors. Other elevations will be plain aside from emergency exits. The materials will comprise of composite panels with bronze to the lower part of the walls and cream to the upper section.

Alongside the proposed storage building, a service yard is proposed to the rear to provide a servicing area to the proposed building, and space for two HGVs to unload and turn. A staff amenity area is also proposed to the rear of the existing multistorey car park, close to the boundary with the adjacent field. This will include a new ramp to provide access as the rear of the proposed amenity area is at a higher level than the adjacent car park.

The existing recycling centre is proposed to be moved to the existing container yard on the other side of the site (to the south of the nursery) as the existing storage containers will be removed. As the recycling centre comprises of skips and other moveable containers, the relocation to this area of the site would not be considered development.

Planning Policy

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.

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

Policy CS1 – Strategy for locating new development

Policy CS1 sets out the overall strategy for locating new development in the district. It states that most new development will take place within and adjoining the Principal Urban Area (PUA) of Leicester, comprising the 'built-up' areas of Glenfield, Kirby Muxloe, Leicester Forest East, Braunstone Town and Glen Parva. Outside of the PUA, development will be focused within and adjoining Blaby and the settlements of Enderby, Narborough, Whetstone and Countesthorpe (the 'Larger Central Villages').

Policy CS2 – Design of new development

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 states that the Council will work with partners to ensure that the District has a range of employment opportunities to meet the needs of its residents and wider communities, allowing for growth of existing businesses and for inward investment. Among other measures, the policy seeks to protect key employment sites.

Policy CS10 – Transport infrastructure

Policy CS10 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 CS21 – Climate Change

Policy CS21 supports development which mitigates and adapts to climate change. It refers to focussing new development in the most sustainable locations, seeking site layout and sustainable design principles which reduce energy demand and increase efficiency, encouraging the use of renewable, low carbon and decentralised energy, and minimising vulnerability and providing resilience to climate change.

Policy CS22 – Flood risk management

Policy CS22 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. Among other measures the policy refers to managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system.

Policy CS24 – Presumption in Favour of Sustainable Development

Policy CS24 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 SA5 – Key Employment Sites and Other Existing Employment Sites

Policy SA5 seeks to protect Key Employment Sites for employment uses within (the former) use class B1 and use classes B2 and B8 unless certain criteria are

demonstrated. It lists the Key Employment Sites in the District which includes the Next Head Office site.

Policy DM1 - Development within the settlement boundaries

Policy DM1 seeks to support suitable development 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.

Policy DM8 – Local Parking and Highway Design Standards

Policy DM8 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 policies 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.

Planning Considerations:

- The principle of the development
- The design and appearance and impact on the character of the area and countryside setting
- The impact on nearby uses
- Highway matters and loss of parking
- Drainage and flood risk
- Ecology and biodiversity net gain
- Sustainability and climate change

Principle of development

The proposed development is located on a Key Employment Site where existing employment uses are to be protected from non-employment development. Enderby is categorised in Policy CS1 as a 'Larger Central Villages' which is one of the locations where development is to be focused (outside of the Principal Urban Area). Enderby is one of the settlements in the District which has a good range of services and facilities, access to a range of transport modes and has a good functional relationship with Leicester.

The application proposes a new building within B8 (storage and distribution) which will be ancillary to other uses on site and creates a permanent building to store various items currently stored in temporary locations on the site.

Policy CS6 supports the growth of existing businesses. The application would allow for Next to provide additional on-site storage space to support its head office functions. The proposed building will not act as a distribution centre. Next's distribution centres are located in other parts of the country, such as Doncaster, Bristol, Hemel Hempstead, Romford and Warrington and this is not a function of the head office site.

The proposal will enhance the role and function of an existing Key Employment Site and is intended to meet the needs of a key employer in the District and to support the future safe, efficient and productive operation of the site. Next is a key contributor to the local economy and draws a significant proportion of its workforce from within the District. The proposed scheme provides development required to meet the needs of a major employer. Although on part of the car park, this is classed as 'previously developed land'.

The development is therefore considered to be acceptable in principle and would accord with Policies CS1 and CS6 of the Core Strategy and Policy SA5 of the Delivery DPD.

The design and appearance and impact on the character of the area and countryside setting

The application proposes a two-storey storage building of modern appearance. Currently, approximately half of the head office site is covered with buildings (the northeast of the site closest to the Desford Road frontage). The southwest rear of the site is mainly occupied by surface level car parking aside from the single storey nursery building in the centre of the car park.

The proposed storage building will be positioned to the rear of the multistorey building and will sit beyond the existing reasonably well-defined edge of the bulk of the built development on site (aside from the nursery). However, being sited close to existing buildings on site, it will be viewed in the context of those buildings. It is of a similar height and scale to existing buildings (although will appear slightly higher than the multistorey car park due to the differing land levels). The design is simple and functional with few window and door openings reflecting its purpose in providing storage space rather than being occupied by large numbers of staff. The materials, however, have been chosen from a palette which complements those used on other buildings, without copying them. The use of two colours is designed to break up the massing of the building.

The building will not be readily visible from the site frontage from Desford Road. When seen from other public viewpoints outside the site (such as Forest Road to the rear), the building will appear as part of the group of existing employment buildings and will have no detrimental impact on open views. The proposals also provide for an open amenity area for staff on a site which currently contains very little in the way of amenity open space.

Although adjacent to land which is classed as Countryside (based on the Policies Map), the site is within Settlement Boundaries, and it is not considered that the proposed new building would have a detrimental impact on the character and appearance of the adjacent countryside as it will be viewed in the context of the adjacent built development and be of a similar size and scale.

The impact on nearby uses

The proposed building will be located close to the northwestern edge of the site. The land to the northwest is in agricultural use, with a farmhouse, Cottage Farm, located approximately 60-70 metres away. The proposed development includes a service yard to the rear of the proposed storage building which could generate noise impacts to the neighbouring farm from vehicle movements and unloading. However, it is noted that this area is currently occupied by the recycling centre for the head office site and therefore there are already likely to be some noise impacts resulting from the existing use. Furthermore, it is noted that there is an agricultural building located between the farmhouse at Cottage Farm and the Next site which will act as a buffer, tempering some of the noise impacts which may occur.

The proposed building could cause some overshadowing of land to the north outside the site. However, with the service yard being located to the rear, the building will be over 30 metres from the site boundary and over 100 metres from the farmhouse at Cottage Farm and so any overshadowing will be extremely limited.

The Council's Environmental Services team has been consulted and made comments in relation to possible noise and disturbance. Officers have noted the existing use of this area of the site, and that this could be in use 24 hours a day. As such, it is recognised that the requirement for a Noise Impact Assessment would be unreasonable given that the likely noise emanating from the building or proposed service yard would be unlikely to be significantly greater than the existing site uses. However, it is recommended that details of any fixed plant or machinery should be submitted to the District Planning Authority for approval in advance of installation.

Highway matters and loss of parking

As the proposed development will be located in an area which forms part of the overall site car park it will result in a modest loss of spaces. The total capacity of the car park will reduce by 78 spaces from the existing 2,190 spaces, bringing the total to 2,112.

A Transport Assessment has been submitted, compiled by SLR. This considers the anticipated effects of the proposed development upon the surrounding highway network. It indicates that since the beginning of the Covid-19 pandemic in 2020, there has been a change in working practices and travel patterns amongst staff based at the headquarters site, with more 'hybrid' and remote working, meaning there are fewer staff travelling to site and reduced demand for car parking. It indicates that this trend is set to continue with hybrid and home working having become standard practices. As a result there is more space capacity within the car parks on a daily basis as staff do not necessarily travel in every weekday. Furthermore, the Transport Assessment refers to Next's Travel Plan which helps to manage the demand for car parking by actively promoting alternative modes of transport and car sharing amongst employees.

Such measures include a free shuttle bus for staff between Leicester and the site, and a cycle to work scheme.

To quantify the existing level of car parking demand on site, a parking accumulation survey was carried out across two days in October 2023. This demonstrated that there is currently spare capacity within the car parks on site and that, even at the period of greatest demand, there are currently over 250 parking spaces available at any time. The report therefore states that the proposed loss of 78 parking spaces to facilitate the proposed development can be accommodated without demand for car parking exceeding capacity.

Planning permission was granted in October 2021 for an expansion of the Next car park onto agricultural land to the north (ref. 20/0312/FUL). This permission has not yet been implemented and it is noted that the application was submitted prior to the Covid-19 pandemic and so the pressures on site car parking which existed before the pandemic no longer appear to exist, based on the recent parking accumulation survey. The site plan submitted shows the proposed link to the additional car park approved in 20/0312/FUL. The permission granted in 2021 will lapse in October 2024 and it is not yet known whether Next intend to implement this permission.

Other recent planning applications have been approved in 23/0820/FUL and 23/0861/FUL for changes to the existing car park (including a reconfiguration near the on-site nursery and a proposed covered walkway). The walkway application resulted in a loss of 28 spaces, although this would be offset by an increase in 20 spaces if the changes to the car park near the nursery were also implemented. In combination with the current application, this additional loss would not be significant to alter the conclusions about loss of car parking in the current application.

The Transport Assessment also indicates that the development will accommodate activity that already occurs on site so will not lead to additional trip demands or itself generate additional car parking demand. The proposal is to store items which are already stored on site in a single location, and also to accommodate the 'Direct to Desk' facility whereby Head Office based staff can collect Next products on site whilst at work (which already exists in a temporary location). A condition can be used to ensure that the storage is in association with existing site use only and the use is not for external distribution.

The Local Highway Authority has been consulted and has no objection to the application based on the proposal not resulting in additional trip demands or requirements for car parking. The LHA is satisfied with the loss of parking, based on the evidence presented in the parking accumulation study.

Drainage and flood risk

A Flood Risk Assessment and Drainage Strategy has been submitted with the application. The site is located within Flood Zone 1 and is at low risk of flooding from rivers and is also at very low risk of flooding from surface water. The drainage strategy is based on reusing the existing drainage which ultimately discharges to a sewer. The application indicates that the hierarchy for the disposal of surface water has been followed but in this case infiltration is not a suitable means of drainage and there are

no watercourses in the vicinity of the site where surface water can drain to. The total drainage impermeable area of the proposed development has been measured to be 0.367 hectares. This is largely similar to the existing situation where the site is occupied by car parking and the recycling centre, both consisting of impermeable surfaces. In order to restrict the rate of surface water runoff from the site, attenuation storage will be used to temporarily store the residual volume of surface water for heavier rainfall events. The tank will be beneath the service yard and the details subject to approval with the Lead Local Flood Authority.

Ecology and biodiversity net gain

An Ecological Appraisal has been submitted with the application which considers the impact of the development on habitats and protected species. The existing site is predominantly covered by hardstanding and buildings. The proposed development has sought to retain existing hedgerows and trees where possible. Overall, the development will result in the permanent loss of 25 metres of hedgerow, 0.005 ha of bramble scrub, 0.0343 ha of modified grassland, and 19 small trees. These habitats are considered to be of importance at the site level only due to their poor-moderate condition or isolation.

Habitat creation and enhancement measures have been incorporated into the scheme design for biodiversity gain purposes. The landscaping scheme includes at least 26 new native broadleaved trees, 90 metres of native species rich hedgerow, 0.054 ha of new scrub planting incorporated into planting beds in the car park, and new areas of grassland as part of the amenity area for staff.

Biodiversity net gain (BNG) is set to become a mandatory requirement for major planning applications submitted from 12th February 2024. For applications submitted in advance of that date, a 10% net gain is now a mandatory requirement, however the National Planning Policy Framework does refer to providing net gains for biodiversity.

The application has used the Defra Biodiversity Metric 4.0 to quantify the biodiversity value. With the incorporation of the proposed habitat creation and enhancement measures, the proposal will result in a 16.14% gain in habitat units and a 13.92% gain in hedgerow units. A Landscape and Ecology Management Plan (LEMP) will be prepared and implemented to secure the future management of the habitats which can be secured by condition.

The Ecological Appraisal has also considered the impact of the development on protected species, with no impacts identified. The Leicestershire County Council Ecologist has no objections and considers that the existing habitats are of relatively low ecological value but recommends a condition requiring the development to be implemented in accordance with the recommendations given in the Ecological Appraisal.

Sustainability and climate change

The Design and Access Statement demonstrates that the building envelope has been designed to exceed current Building Regulations standards for both thermal insulation and air tightness. As a storage building, there are few windows proposed. Rooflights

are not proposed to allow light into the building but instead the Design and Access Statement indicates that an intelligent LED lighting system will be used internally. This will help to reduce the energy needed to compensate for heat loss (and solar gain) had rooflights been incorporated. The roof has instead been designed to allow for the installation of PV panels across the whole roof surface.

Overall Planning Balance and Conclusion

In summary, the application proposes a new storage building on an existing Key Employment Site (a brownfield site) within the Settlement Boundary of Enderby. The proposal will assist Next in managing storage requirements at their Head Office site and reduce the need for temporary buildings and structures. It is considered that the building, although relatively plain and functional, is in keeping with the design and scale of other buildings on site and whilst likely to be visible from outside the site (in particular from Forest Road to the rear), would be viewed in the context of the existing buildings and would not be detrimental to the character and appearance of the countryside. The proposal is not considered to cause additional detrimental impact to neighbouring uses (such as the farm to the north).

The proposed building would result in a reduction in the overall quantum of car parking on site, but the applicant has demonstrated that a surplus of parking now exists due to changes in working practices in the last four years and so the loss would be acceptable. Furthermore, as the building will accommodate existing uses on site, it will not result in additional trip generation or parking requirements. Drainage and flood risk, and impacts on ecology have been assessed through the consideration of the application and are considered acceptable subject to conditions. The proposals will achieve a net gain for biodiversity, to be secured through conditions.

Overall, the application is considered to accord with the relevant policies of the Development Plan referred to in this report and it is recommended that planning permission is granted.

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