

Application reference: 25/1131/OUT

Proposal: Outline application for the demolition of existing buildings and erection of new commercial building (Use Classes E(g)(i), B2 and B8) and associated staff car parking (all matters reserved except for access, layout and scale).

Site Address: Church Farm, Marston Road, Croft, LE9 3GX

Applicant: Mr Steve Chaney-North

Case Officer: Rebekah Newman, Senior Planning Officer

Recommendation: Approve, subject to the applicant entering into a Section 106 Agreement to secure the following:

1. S106 monitoring contributions – District and County Council, including Biodiversity Net Gain

Conditions:

1. Statutory outline condition.
2. Submission of reserved matters – appearance and landscaping.
3. Development in accordance with approved plans and documents.
4. Use of development limited to Class E(g)(i) (office), B2 (general industrial) and B8 (storage and distribution) only.
5. External lighting to be installed as per 'Lux Contour Plot' drawing. Any deviation from this plan to be submitted and approved in writing.
6. Details of any additional plant or machinery to be agreed prior to installation.
7. No machinery to be operated, nor any work take place outside the hours of 7:30am to 5pm Monday to Friday inclusive nor at any time on weekends or public holidays.
8. Paragraph 4.16 of Noise Impact Assessment to be adhered to in perpetuity.
9. Noise insulation scheme details for building to be agreed prior to commencement of development. Agreed works to be implemented prior to first use.
10. Written confirmation of completion of noise insulation scheme to be agreed prior to first occupation.
11. Noise Impact Assessment to be submitted within 6 weeks of a written request by the District Council.
12. Access drive to be surfaced with tarmacadam (or similar hard bound material) for a distance of at least 20m behind highway boundary prior to first occupation and be maintained in perpetuity.
13. Parking and turning facilities to be implemented as per Proposed Site Plan drawing prior to first occupation.
14. Secure and under cover cycle parking details to be submitted, agreed and implemented prior to first occupation.
15. Requirement to submit a scheme for the management and safe disposal of asbestos and asbestos containing materials, remediation method statement and verification plan prior to commencement of development (and demolition).

16. Remediation works to be completed as per approved remediation method statement prior to commencement of any above ground development.
17. Requirement to submit package treatment plant details prior to first occupation. Approved details to be implemented prior to first occupation and maintained in accordance with manufacturer's instructions.
18. Requirement to submit a surface water drainage scheme prior to commencement of development.
19. Requirement to submit details for the management of surface water on site during construction of development prior to commencement of development.
20. Requirement to submit details in relation to the long-term maintenance of the surface water drainage system within the development prior to first occupation of the development.
21. Infiltration testing to be carried out (or suitable evidence to preclude testing) and submitted prior to commencement of development.
22. Requirement to submit a Construction Environmental Management Plan (CEMP) prior to commencement of development (or demolition).
23. Any Package Treatment Plant and Sustainable Drainage System (SuDS) used to abide by CIRIA Guidance.
24. Any vegetation clearance or removal of potential hibernacula to be in accordance with submitted Reptile Method Statement.
25. Requirement to submit a biodiversity enhancement scheme prior to the commencement of development.
26. Requirement to submit an updated Otter and Water Vole survey prior to development (including ground works or vegetation clearance).
27. Requirement to submit a scheme for the protection of any existing trees or hedgerows which are to be retained prior to the commencement of development.

1. The site

- 1.1. The application site lies to the south of Stanton Lane, to the west of the village of Croft. The site covers an area of approximately 1.07 hectares and is accessed via a long private driveway (approximately 280m long).
- 1.2. The three existing industrial buildings within the site have historically been used for agricultural purposes, as well as accommodating a road haulage operation based at the site. A large area of hardstanding is located to the west of the buildings. A further industrial building and associated residential dwelling (Church Farm) are located to the south of the site.
- 1.3. The site is located within designated Countryside, lying outside the settlement boundary of Croft, which is located approximately 0.7km to the east and Potters Marston and designated Dovecote Court Business Park, Potters Marston (EPM1 in the Fosse Villages Neighbourhood Plan) is located 0.5km to the north of the site.
- 1.4. Agricultural fields surround the site to the north, east and west. A Public Footpath (ref: V52) is located to the south of the Church Farm dwelling, running north to south up to the dwelling and then eastwards (outside of the red line boundary). A railway line is situated south of the site and is located

approximately 100m away. In addition, the River Soar is located approximately 470m to the east of the site.

- 1.5. The elevation of the site reduces by approximately 10m from the site access off Stanton Lane to the existing industrial buildings. There is a slight fall in site levels across the largest part of the site, however this is more gradual.
- 1.6. The existing industrial buildings comprise a combination of green and grey metal cladding, with the two industrial buildings furthest to the north also comprising a block brick construction across the bottom half of the external walls. An existing hedgerow is located along the western boundary, either side of the access. A hedgerow is also located along the site's southern boundary, to the rear of the industrial buildings, also running northwards along the eastern boundary.
- 1.7. The site is largely located within Flood Zone 1, however two small areas of Flood Zone 2 are located to the site's southern and eastern boundaries. Surface water mapping also includes these areas, as well as a small area approximately 30m to the rear of the existing industrial buildings.

2. The Proposal

- 2.1. The application is for outline planning permission for the demolition of the existing industrial buildings and the erection of a new commercial building (Use Classes E(g)(i), B2 and B8) and associated staff car parking. All matters are to be reserved except for access, layout and scale.
- 2.2. The proposal includes the following uses: 450 sq. m of Class E(g)(i) and 1,223 sq. m of mixed B2 and B8 use. 20no. parking spaces are proposed, with 4no. parking spaces to the front (including 2no. accessible) and 16no. parking spaces to the rear. A vehicle turning circle would be provided to the front of the proposed industrial building. A smoking shelter, bin store area and extraction are located to the rear, as well as a cycle storage area. An attenuation basin is proposed to the east of the site.
- 2.3. The proposed building would provide a two-storey office section for the day to day running and management of the business, along with factory and warehouse space to house the required machinery and equipment to enable the production of bespoke fitted furniture.
- 2.4. At ground floor the office space will comprise an entrance lobby with reception and office. Beyond the entrance area, a lobby will provide access to a meeting room / customer show room with toilets, plant room and staff canteen area. On the first floor there will be a conference room with a large open plan office area for staff and three offices, as well as a kitchenette and toilets. A lift would also be included.
- 2.5. The proposal would bring together the family business (which is located within the district), which is currently split across two sites.

- 2.6. In terms of scale, the proposed building would be a maximum of 10m in height (factory / warehouse) and the office area would have a height of approximately 7.3m. In terms of its footprint, the factory / warehouse would have a width of circa 37m and depth of 34m. The two-storey office section proposed to the north of the warehouse would have a width of circa 10.6m and depth of 24m.
- 2.7. The site is accessed from Stanton Lane which runs between Croft and Stoney Stanton. The existing access would be retained.
- 2.8. The applicant has stated that a total of 8 full-time employees are proposed. In terms of opening hours, the proposed unit would be open between 7:30am – 4:30pm Monday to Friday, and closed on Saturdays, Sundays and Bank Holidays.

3. Relevant Planning History

Reference	Description	Decision	Date
92/0122/1/EY	Erection of 11,000 volt overhead line on wooden poles.	Approved	17.03.1992
03/0724/1/PX	Change of use of stables to residential use and erection of single and two storey extensions.	Approved	29.10.2003
23/0173/CLASSR	Application to determine if prior approval is required for a proposed change of Use of Agricultural Buildings to a flexible use within Storage or Distribution (Use Class B8), Commercial/Business/Service (Use Class E) for sale of vehicles and parts.	Withdrawn	N/A
23/0693/CLASSR	Application to determine if prior approval under Class R is required for proposed: Change of Use of Agricultural Buildings to a flexible use (commercial).	Prior approval refused	03.10.2023
24/0686/FUL	Change of use of existing agricultural buildings to light industrial and storage uses (B2 and B8 use) with formalisation of car parking spaces.	Approved	31.01.2025

4. Consultation Responses

Full copies of the representations received are available to view at <https://pa.blaby.gov.uk/online-applications/>.

The consultation response comments are précised if conditions are proposed, these are included within the conditions at the beginning of the report, unless stated otherwise.

The number in brackets signifies the amount of times consultees have responded to the application.

4.1 Blaby District Council Consultees

4.1.1 Environmental Services (4)

No objections subject to the imposition of conditions.

4.2 Leicestershire County Council Consultees

4.2.1 Archaeology (1)

No further archaeological action required.

4.2.2 Ecology (4)

No objection subject to conditions.

4.2.3 Forestry (2)

No objection subject to conditions.

4.2.4. Lead Local Flood Authority (2)

No objection subject to conditions.

4.2.5 Local Highway Authority (3)

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.

4.3 Others

4.3.1 Environment Agency (1)

Report that the development falls within Flood Zone 1 and there are no fluvial flood risks associated with the site.

4.3.2 Natural England (1)

No objection – subject to appropriate mitigation being secured.

4.3.3 Network Rail (1)

No observations.

4.3.4 Potters Marston Parish Council

No response received.

4.3.5 Severn Trent Water

No response received.

4.3.6 Ward Councillor

No response received.

5. Additional Representations

5.1 As part of the consultation process and in accordance with the Council's Statement of Community Involvement (2020); adjacent residents were notified. A site notice and press release in the Leicester Mercury were also advertised.

5.2 No representations were received from neighbours.

6. Planning Policies and Material Considerations

6.1 Development Plan

Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be considered in accordance with the Development Plan, unless material considerations indicate otherwise.

The Development Plan in relation to this proposal consists of:

- Blaby District Local Plan (Core Strategy) Development Plan Document (adopted 2013)
- Blaby District Local Plan (Delivery) Development Plan Document (adopted 2019)
- Fosse Villages Neighbourhood Plan 2018 – 2029 (June 2021)

6.1.1 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 CS18 - Countryside

Policy CS19 – Biodiversity and geo-diversity

Policy CS21 – Climate change

Policy CS22 – Flood risk management

Policy CS24 – Presumption in favour of sustainable development

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

Policy DM2 – Development in the countryside

Policy DM3 – Employment development on unallocated sites

Policy DM8 – Local parking and highway design standards

6.1.3 Fosse Villages Neighbourhood Plan (2021)

Policy FV4 – Biodiversity

Policy FV6 – Design

6.2 Material Considerations

- The National Planning Policy Framework (NPPF) (2024)
 - Section 2 - Achieving sustainable development
 - Section 4 – Decision-making
 - Section 6 – Building a strong, competitive economy
 - Section 9 – Promoting sustainable transport
 - Section 11 – Making effective use of land
 - Section 12 – Achieving well-designed places
 - Section 14 – Meeting the challenge of climate change, flooding and coastal change
 - Section 15 – Conserving and enhancing the natural environment
- Leicestershire Highways Design Guide (LHDG) (2024)
- The National Planning Policy Guidance (NPPG)

7. **Consideration of Application**

The main issues to be considered in the assessment of this planning application are as follows:

- The principle of the development
- The impact on the character and appearance of the local area
- Landscape and visual impact
- Transport and highway implications
- Flood risk and drainage
- The impact of the development on the amenity of nearby residents
- Ecology and biodiversity net gain (BNG)
- Arboricultural implications
- Land contamination
- Archaeology

7.1 The principle of the development

7.1.1 Policy CS1 in the Blaby District Local Plan (Core Strategy) Development Plan Document (2013) 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). A minimum of 68 hectares of employment land will be provided in the district between 2006 and 2029, of which, at least 57 hectares will be provided within and adjoining the PUA.

- 7.1.2 The application site sits outside the settlement boundary in land designated as Countryside, with the closest settlement of Croft located to the east (approximately 0.7km from the site). Croft is defined as a 'Medium Central Village' within the settlement hierarchy, and Policy CS1 states that lower levels of growth will be allowed in such settlements, where the scale of development will reflect the settlement's range of available services and facilities and public transport alternatives.
- 7.1.3 The site is currently occupied by three existing agricultural buildings, which have historically been used for agricultural purposes, as well as a road haulage operation. Policy CS1 also states that, in each settlement, encouragement will be given to the use of Previously Developed Land (brownfield) and underused land and buildings. The existing buildings within the application site are proposed to be demolished as part of this planning application.
- 7.1.4 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. The Council also seeks to enable the development of new smaller scale employment uses in other settlements. The scale and type of development will be determined by the needs of the area and the ability to accommodate employment growth in light of physical, policy or other constraints. The suitability of sites will be informed by their ability to accommodate employment growth: without significant harm to amenity; which are commercially attractive to the market; which are on sites which can be satisfactorily accessed by commercial vehicles (for movement of goods); which are accessible by sustainable modes of transport (including public transport) for employees; and which are not 'out of scale' with their host community in terms of the quantity of additional employment land and the scale of new buildings.
- 7.1.5 Paragraph 88 of the NPPF states that '*Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, new buildings; b) the development and diversification of agricultural and other land-based rural businesses.*' The new building would support an existing family business (the production of bespoke fitted furniture) by bringing the business together, as the company is currently split across two sites.
- 7.1.6 Policy CS18 states that in the Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It requires the need to retain Countryside to be balanced against the need to provide new development in the most sustainable locations.
- 7.1.7 Policy DM2 provides more specific policy guidance for development that is appropriate in the Countryside, consistent with Policy CS18. Policy DM2

permits only certain categories of development in the Countryside, including: dwellings that meet the essential needs for a rural worker in agriculture, forestry, employment, and leisure; or other similar uses appropriate to a rural area and replacement; or the change of use, adoption and extension of existing dwellings.

- 7.1.8 In addition, Policy DM3 states that proposals for new employment development will be directed to employment land allocations, Key Employment Sites and other suitable locations within the settlement boundaries. Where no suitable sites are available, proposals for new employment development (Use Classes B1b and B1c, B2 or B8) will be supported on unallocated sites on the edge of the built-up area of the PUA, Blaby, the Larger Central Villages, the Medium Central Villages and the Rural Centre where certain criteria are met. However, as the application site has recently received planning permission in 2025 for B2 and B8 use (ref: 24/0686/FUL), a sequential test is not required.
- 7.1.9 The accompanying text to Policy DM3 also states in paragraph 4.13 that *'although sufficient employment land is available and allocated in the District to support the identified growth over the period of the Local Plan, it is important that further employment opportunities are not stifled and to encourage sustainable economic growth.'* The proposed development would result in the redevelopment of the application site (which already benefits from planning permission for B2 and B8 use), to meet the needs of the current business, whilst also enabling the future expansion of the business.
- 7.1.10 The site benefits from an extant planning permission for B2 (General Industrial) and B8 (Storage and Distribution) uses under planning permission reference 24/0686/FUL. Consequently, the principle of employment-related development on the site has already been established and forms an important material consideration in the assessment of the current application.
- 7.1.11 Subject to the impact of the proposals on the landscape being acceptable, the principle of the proposed development is considered to be acceptable.

7.2 The impact on the character and appearance of the local area / landscape

- 7.2.1 Policies CS2, DM2 and FV6 seek to ensure that a high-quality environment is achieved in all new development proposals, respecting distinctive local character, and ensuring that design contributes towards improving the character and quality of an area and the way it functions. Policy DM2 sets out criteria to be met for development proposals consistent with Policy CS18. This includes that the development shall be in keeping with the appearance and character of the existing landscape, development form and buildings, having regard to the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence.
- 7.2.2 The site lies within Natural England's National Character Area (NCA) 'Leicestershire Vales'. It is described as an open, uniform landscape of low-lying

vales and varied river valleys. Settlements visually dominate the area and views towards surrounding higher ground is characteristic. At a local level, the Blaby Landscape and Settlement Character Assessment identifies the site as being situated in the 'Stoney Stanton Rolling Farmland' Landscape Character Area, which is located to the southwest of the district, surrounding Stoney Stanton, Sapcote, the northeastern parts of Sharnford and western parts of Croft. The condition of the area is described as follows:

'This LCA retains a robust rural character with agriculture continuing to be the predominant land use. Hedgerows are generally well managed and there has been less recent hedgerow loss in this LCA compared to other parts of the district. The general absence of mature vegetation and woodland trees emphasises the influence of adjacent settlement. Former quarrying activity has left a legacy in the landscape between Stoney Stanton and Sapcote although these are generally well screened and their influence on the condition of the LCA is limited. Traffic noise, particularly associated with the M69, has a significant influence on the landscape in parts. Numerous pylon lines also impact on the rural qualities of the LCA.'

7.2.3 In terms of landscape sensitivity, the overall assessment for large scale commercial (warehousing – B8 use category) is scored as a medium – high sensitivity.

7.2.4 The application site is currently occupied by three existing agricultural buildings, which have historically been used for agricultural purposes, as well as a road haulage operation. A large area of hardstanding is also located to the west of the buildings. The footprint of the proposed building will be larger than the existing buildings, infilling the previous gap between the two northern buildings and extending further north by approximately 10m. The maximum width of the proposed building would be 6.5m larger, however due to the site's isolated location, these differences in area are considered to be relatively minor.

7.2.5 In terms of scale, the existing buildings on the site are 1 / 1 ½ storeys in height, with a maximum roof height of approximately 6m. Whilst it is noted that the maximum height of the proposed building would be approximately 10m at the ridge, again, such differences in height are not considered to be significant or raise concern. In addition, from the main public vantage points the site is notably lower than the highway, due to the site's existing topographical levels. This would help further reduce the impact of the proposed development when travelling along Stanton Lane. Accordingly, given the site's previously developed nature, topography, the proposed layout and scale (which indicatively includes increased landscaping), the proposals are considered to improve the existing appearance and character of the site and the proposals are considered to be acceptable in this regard.

7.3 Transport and highway implications

7.3.1 Policy DM8 seeks to provide a consistent approach to local car parking standards and highway design. It goes on to state that the Leicestershire

Highways Design Guide sets out, amongst other things, standards and policies for parking and highway design that will need to be considered for all new development.

- 7.3.2 Leicestershire County Council are the relevant Local Highway Authority (LHA) responsible for providing comments on the likely impacts on the local highway network.

Trip Generation

- 7.3.3 The LHA's two initial consultation responses requested demonstration of the suitability of the site access, given the proposals were considered to represent an intensification in use.
- 7.3.4 The development permitted through application ref: 24/0686/FUL currently generates 24 daily two-way vehicular movements. Through the LHA's previous consultation response, they queried the validity of the provided historic uses of the site, specifically the vehicular movements generated by the charitable organisation, Forever Savvy. Following further discussions with the applicants, the LHA accept the former use would have been linked to the farm and that the generated trips are suitable to determine the net trip generation the current proposals represent.
- 7.3.5 The LHA has therefore confirmed that it accepts that between 2012 and 2020 the site access was subject to up to 56 daily two-way movements, and that this included movements generated by HGVs.
- 7.3.6 The applicant also submitted a Highways Response Note which states that the site could generate a total of up to 46 two-way vehicle movements per day over the next five years when accounting for potential growth. This estimation is based on 17 workstations being occupied, generating 34 daily two-way movements along with 12 two-way movements per day generated by delivery vehicles. The applicant has explained that no retail trips will be generated and that any trade / supplier movements will be '*few and far between*'.
- 7.3.7 The LHA remains of the view that the scale of the site operating under the proposed E(g)(i), B2 and B8 land use may generate a volume of two-way trips above both the level of historic movements and those advised through the Highways Response Note. Notwithstanding this, the LHA accepts that the proposed trip generation for the current intended end user which does not represent an intensification when compared to the number of movements generated at the site access between 2012 and 2020. However, for robustness, the consultee undertook a review of the site access as detailed in the section below.

Site Access

- 7.3.8 The site is accessed from Stanton Lane, which runs between Croft and Stoney Stanton. Stanton Lane is an adopted 'C' classified road, subject to the national

speed limit. There are no public footways or waiting restrictions on either side of Stanton Lane.

- 7.3.9 The site access is 25m wide where it meets the public highway, which reduces to 8m after approximately 9m from the highway with gates, that do not open towards the highway, located approximately 13m from the highway. On either side of the access is a 10m wide field gate leading to third party land.
- 7.3.10 The applicant previously advised that the field accesses are historic and only utilised by combine harvesters during the harvesting season (typically August). The field accessed from the northern radii is used for cattle grazing. However, the applicant has advised it is possible for vehicles to cross the track leading from the access to the commercial building from one field to another, thus reducing the potential for agricultural movements across the site access. Whilst the use of the field gates is not within the applicant's control, it is understood that agricultural movements will unlikely occur during the times when staff will be arriving or leaving the site.
- 7.3.11 The LHA welcomes the applicant's intention to surface the access (between the highway and the gates) with tarmac, or similar hard bound material (not loose aggregate) to reduce the possibility of deleterious material being deposited in the highway. This arrangement has been secured as a recommended condition 13 at the beginning of this report, as requested by the LHA.
- 7.3.12 As the proposals do not represent an intensification of use, the LHA accept the existing vehicular visibility splays at the site access. The access also has extant permission for use by HGVs, and the applicant has advised there would be no intensification of HGV movements.
- 7.3.13 The applicant has also advised that the access gates will be opened prior to the arrival of a HGV at the site and therefore a HGV will not be required to wait (partially) on the highway whilst the gates are operated. Whilst not demonstrated, the LHA consider it possible for cars to wait within the site access whilst an existing HGV safely passes.
- 7.3.14 The LHA has confirmed that there has been no recent reported Personal Injury Collisions in the vicinity of the site access.

Internal layout

- 7.3.15 The LHA has advised that, as per the LHDG, 24 parking spaces are required for the B2 / B8 use and 18 parking spaces are required for the E(g)(i) element of the proposals. Therefore, a total of 42 parking spaces is required.
- 7.3.16 The submitted drawing titled 'Proposed Site Plan' (Dwg no. 5953/M/25/003 Rev M) shows the provision of 20 parking spaces and despite this shortfall the LHA have confirmed that this reduction does not cause any concern. They state that it would be possible for more cars to park by stacking vehicles behind the parking spaces. In addition, given the distance between the proposed building

and the highway, along with it being unlikely anyone would wish to park on Stanton Lane. As such, the LHA is satisfied that the proposed development will not result in any on-street parking.

- 7.3.17 The LHA confirm that the parking and turning spaces have been designed with suitable dimensions that are in accordance with the LHDG. The LHA has also confirmed that it has been demonstrated that an 18.55m long HGV can turn within the site and leave in a forward gear.
- 7.3.18 The LHA also note that from the site access, an approximately 200m long track leads to the parking area, which does not appear suitable for two vehicles travelling in opposite directions to pass. However, the LHA acknowledges that vehicular movements will largely be tidal and that there is good forward visibility from either end of the track. The LHA remain of the view that the track should be wide enough to accommodate two-way movements or at least a passing place should be provided. It is however acknowledged that the track is contained within private land and that the limitations of the track are unlikely to impact the public highway.

Transport Sustainability

- 7.3.19 The LHA consider that the site is rurally located with no access to public transport or public pedestrian footway infrastructure. Whilst Public Footpath V52 could provide a link from the site to Stoney Stanton, from where bus services operate between Hinckley and Fosse Park, the LHA consider it unlikely this option would be utilised by staff members. Staff members will therefore be heavily reliant on the use of private vehicles.
- 7.3.20 The LHA has stated however, that it does welcome the provision of bicycle parking facilities within the site and advise that these should be secure and undercover. A recommended condition has been included at the beginning of this report (condition 15).
- 7.3.21 The LHA has concluded 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. Based on the information provided, the development therefore does not conflict with paragraph 116 of the NPPF, subject to conditions.

7.4 Flood risk and drainage

- 7.4.1 Policy CS22 states that the Council will ensure all development minimises vulnerability and provides resilience to flooding, taking into account climate change. This will be achieved by: a) directing development to locations at the lowest risk of flooding within the district, giving priority to land in flood zone 1; b) using Sustainable Drainage Systems (SuDS) to ensure that flood risk is not increased on-site or elsewhere and to protect the quality of the receiving water course; c) managing surface water run-off to minimise the net increase in the amount of surface water discharged into the public sewer system; and d) closely

consulting the Environment Agency in the management of flood risk to ensure that any risk of flooding is appropriately mitigated and the natural environment is protected in all new development. Paragraph 181 of the NPPF (2024) states that when determining planning applications, local planning authorities should ensure that flood risk is not increased elsewhere.

Fluvial

- 7.4.2 One small area of Flood Zone 2 is located to the site's southern boundary (see Figure 2 below), however the proposed built development would be entirely within Flood Zone 1.

Surface water

- 7.4.3 The application site is at low to high risk of surface water flooding (two small areas to the site's southern and eastern boundaries, as well as a small area approximately 30m to the rear of the existing industrial buildings (see Figure 1 below). However, the footprint of the proposed building would not be within any of these areas of surface water flooding.
- 7.4.4 The proposals seek to discharge at two locations on site each at 1.5l/s via a swale, hydroplanters, permeable paving, an attenuation basin and an attenuation tank to the onsite watercourses.
- 7.4.5 The Lead Local Flood Authority (LLFA) (Leicestershire County Council) were consulted during the determination of this planning application. In its latest consultation response, the LLFA commented that notwithstanding any surface water drainage details submitted under this application, as the proposals are for outline permission, no specific drainage elements are fixed at this stage. As such, the LLFA would require that later reserved matters and detailed design fully comply with the new National Standards for SuDS and to any other amended local or national policy / guidance relevant at the time of submission of those details. This includes (but is not limited to) a re-assessment of discharge rates, contributing areas, attenuation scale and the retention of the first 5mm of rainfall on-site. Any departure from the standard should be fully substantiated and agreed with the LLFA.
- 7.4.6 In the LLFA's latest consultation response, it has confirmed that the proposals are considered acceptable and advise that planning conditions relating to: a surface water drainage scheme, the management of surface water on site during construction, details in relation to the long-term maintenance of the surface water drainage system and infiltration testing are secured. Accordingly, these recommended conditions are included at the beginning of this report (Conditions 19-22).
- 7.4.7 The Environment Agency (EA) were also consulted on this application and stated that they would not be making any formal comments on the application as the built development appears to be entirely within Flood Zone 1.

Foul drainage

- 7.4.8 The submitted Flood Risk Assessment & Drainage Strategy states that given the rural nature of the site, it is remote from a public sewerage network. In addition, given the onsite ground levels, any foul connection to the public network would require pumping over a substantial distance. As such, a foul discharge into the public network is not deemed to be sustainable, and therefore foul effluent is proposed to drain via a gravity conveyed foul sewer to a package treatment plant, which will discharge foul effluent to the watercourse within the southeast of the site.
- 7.4.9 The Environment Agency commented that the site is over 300m from the closest mains sewer connection and so it would be unreasonable to require connection to the mains. As such, a package treatment plant is considered to be acceptable.
- 7.4.10 Severn Trent Water were also consulted on this application, however no response has been received.
- 7.4.11 The Council's Environmental Services Team stated that the use of a sewage package treatment plant appears to be reasonable, and recommended a condition is used to require full details of the package treatment plant and its outfall (this is included as recommended condition 18 at the beginning of this report).

Sequential Test

- 7.4.12 Paragraphs 173 – 175 in the NPPF states that a sequential risk-based approach should be taken to individual applications in areas known to be at risk now or in future from any form of flooding. The aim of the sequential test is to steer new development to areas with the lowest risk of flooding from any source. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development, in areas with a lower risk of flooding. The sequential test should be used in areas known to be at risk now or in the future from any form of flooding, except in situations where a site-specific flood risk assessment demonstrates that no built development within the site boundary, including access or escape routes, land raising or other potentially vulnerable elements, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk).
- 7.4.13 The extent of the surface water areas would only be located within a small area of the proposed parking spaces and attenuation basin. The footprint of the proposed building would not be within any areas of flooding. As such, due to the very limited nature of the surface water flood risk (please refer to the screenshots below) and the areas affected, a Sequential Test is not required.

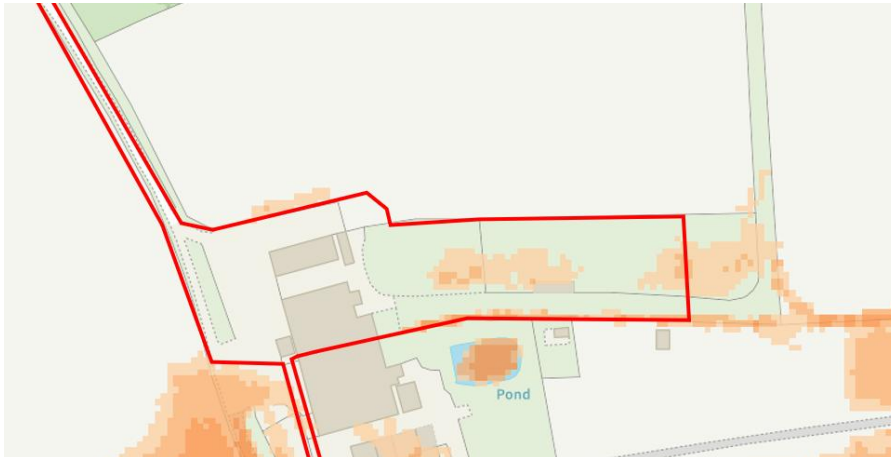


Figure 1 – Surface water mapping extent (2061 to 2125 – 1 in 1000)
GOV.UK – Flood map for planning



Figure 2 – Flood Zones 2 and 3 mapping extent (2070 to 2125)
GOV.UK – Flood map for planning

7.4.14 Overall, it has been demonstrated that the flood risks to the proposed development can be managed and will not result in an increase in flood risk off-site. The proposed development is therefore considered to comply with Policy CS22.

7.5 The impact of the development on the amenity of nearby residents

7.5.1 Policies DM2 and FV6 mandate that new development maintains a satisfactory relationship with existing land uses, precluding significant detriment to the amenities enjoyed by current and proximate residents. This encompasses, but is not limited to, considerations of privacy, light, noise, disturbance, overbearing effect, vibration, emissions, hours of operation and vehicular activity.

- 7.5.2 Church Farm is the only residential property in close proximity to the application site, and is located outside of the red line boundary, to the south of the site. An existing agricultural building would separate the proposed building from the dwelling (a separation distance of approximately 30m).
- 7.5.3 The next closest residential properties are located along Stanton Lane (1 – 6 Stanton Lane) to the northeast of the site, with a significant separation distance of approximately 290m.
- 7.5.4 No openings are proposed on the side elevation which would face towards the Church Farm dwellinghouse, and the dwelling is set further back from the existing agricultural building to the north, which will help screen it from incoming work vehicles. In addition to there being a sufficient separation distance of 30m between the proposed building and nearby dwelling, no concerns are raised in terms of potential impact of privacy.
- 7.5.5 Similarly, due to the significant separation distance, no concerns are raised in terms of potential loss of light. On a separate note, the applicant submitted a Lighting Masterplan which will be assessed further in the Ecology section below. Environmental Services also reviewed this document and has confirmed that the masterplan indicates that there is no spillage from the proposed development site that would affect the house, and therefore the proposed lighting details are acceptable.
- 7.5.6 In its initial consultation response the Council's Environmental Services Team acknowledged that the applicant currently owns the adjacent residential property, however raised concerns that this dwelling would be sold in the future and so the property may fall under a separate ownership. The consultee also noted the existing agricultural building which lies between the dwelling and the proposed development site, which may provide some screening and noise reduction.
- 7.5.7 During the determination of the previous application (ref: 24/0686/FUL), Environmental Services noted that it had previously requested the provision of an acoustic assessment, to consider the hours of operation and the re-use on site of a dust extraction system. The consultee considered that it would be appropriate for this acoustic assessment to be revisited, in light of the current proposal, commenting that *'the proposed demolition and replacement building potentially provides greater scope for noise control than the approved change of use.'* The consultee considered that the nearby dwelling should be considered as a noise sensitive receptor.
- 7.5.8 Environmental Services also considered that conditions 6 and 7 attached to planning permission ref: 24/0686/FUL control the provision of additional external plant or machinery, and the hours of operation for the facility. The proposed hours of operation are similar to that of the previous permission (Monday to Friday 7:30am to 4:30pm only and closed on Saturdays, Sundays and Bank Holidays). A condition (7) is recommended at the beginning of this report to ensure no machinery is operated, or any work takes place other than between 7:30am to 5pm Monday to Friday only.

- 7.5.9 The applicant subsequently provided an Acoustics Assessment. Environmental Services reviewed the report and confirmed that the conclusions from the assessment were reasonable. The consultee recommended conditions, if permission is granted, to ensure that the roller shutter doors are closed during periods of power tool and machinery operation (where reasonably practicable) (condition 8 above), noise insulation for the building envelope (condition 9 above), details of any additional external plant or machinery to be approved prior to their installation (condition 6 above), hours of use (condition 7 above) and the requirement to provide a further Noise Impact Assessment within 6 weeks of a written request (i.e. a noise complaint from a resident) by the Council (condition 11). If, following receipt of the assessment, it is determined by the Council that additional mitigation measures are necessary, the applicant is required to submit a plan detailing additional noise mitigation to the LPA for written approval within 4 weeks of receiving notice of the need for additional equipment. Once approved, any additional noise mitigation must be installed in accordance with the submitted details within 2 months of its written approval and retained thereafter.
- 7.5.10 Environmental Services also recommended the addition of a condition requiring the applicant to submit a Construction Environmental Management Plan (CEMP) to control the potential impacts from noise, vibration, dust and lighting during the construction phase. The CEMP would need to 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; e) measures to control the emission of dust and dirt and air quality during demolition and construction; f) hours of construction and the hours for the loading / unloading of materials; g) measures to control dust, noise and vibration during demolition and construction; h) lighting during the demolition and construction phases; and i) a timetable for the provision of the above points.
- 7.5.11 Accordingly, the proposals are considered to comply with Policies DM2 and FV6, ensuring acceptable standards of residential amenity for both existing and future occupants.

7.6. Ecology and biodiversity net gain (BNG)

- 7.6.1 Policy CS19 states that the Council will protect those species which do not receive statutory protection under a range of legislative provisions but have been identified as requiring conservation action as a species of principal importance for the conservation of biodiversity nationally. Any 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. Policy FV4 states that new development will be expected to maintain and enhance existing ecological corridors and landscape features (such as watercourses, hedgerows and tree-lines) to support biodiversity.

- 7.6.2 A Preliminary Ecological Appraisal Report (PEA), Great Crested Newt (GCN) Survey Letter and Bat Letter Report have been provided by the applicant. The PEA states that Croft Pasture Site of Special Scientific Interest (SSSI) is located 330m east of the site, and the site is within the Impact Risk Zone (IRZ). The scheme is a development type which requires further consultation with Natural England on potential impact pathways. As such, Natural England was consulted during the determination of this application.
- 7.6.3 In its latest consultation response, Natural England confirmed that it had no objection to the proposal, subject to appropriate mitigation measures being secured. They considered that without appropriate mitigation, the proposal would damage or destroy the interest features for which the Croft Pasture Site of Special Scientific Interest has been notified. As such, Natural England recommended that the following mitigation measures should be secured: A CEMP produced and implemented to avoid constructional impacts on the interest features of the SSSI; and, any Package Treatment Plant and Sustainable Drainage Systems (SuDS) used should abide by CIRIA guidance. In terms of the CEMP, the consultee requested that the plan should address the following impacts: storage of construction materials / chemicals and equipment; dust suppression; chemical and / or fuel run-off from construction into nearby watercourse(s) and; waste disposal.
- 7.6.4 In LCC Ecology's latest consultation response, it raised no objection subject to conditions 23-27 which are included at the beginning of this report.

Biodiversity net gain

- 7.6.5 Biodiversity net gain (BNG) ensures that development contributes to nature's recovery, leaving habitats in a better state than before. A mandatory 10% BNG applies to this application.
- 7.6.6 The applicant has submitted a BNG Strategy Report and BNG Metric which states that the proposed development will result in an overall habitat area unit change of +0.37, resulting in an overall net change of +13.79%. In terms of hedgerow units, the proposals will result in an overall unit change of +0.1, and net change of +76.63%. Finally, for watercourse units, there would be an overall unit change of +0.04, resulting in a net change of +11.59%. Accordingly, the mandatory 10% BNG will be provided on-site, and therefore the trading rules have been satisfied.
- 7.6.7 As this is an outline application (with landscaping details to be a reserved matter), the BNG Metric will require updating at the reserved matters stage.
- 7.6.8 A legal agreement will be required to secure the long-term management and maintenance of the on-site biodiversity for 30 years, as required by legislation. The final BNG detail will be finalised at reserved matters stage and through the BNG Plan condition.
- 7.6.9 Accordingly, the proposed development is considered to comply with Policies CS19 and FV4.

7.7 Arboricultural implications

- 7.7.1 The proposal will require the removal of a small number of trees: T1 – small weeping willow; T4 -T7 – medium conifer trees, T8 and T9 – small conifer trees, T13 and T14 – small cherry trees, T15 – T17 – small silver birch trees and T18 – T19 – small oak trees, however a significant buffer of trees are proposed on the site's eastern boundary, as well as surrounding the proposed car park.
- 7.7.2 LCC Forestry's Team has been consulted on the application. In their latest comments the consultee states that the trees specified for removal are all young / recently established trees and their removal to facilitate an otherwise acceptable development should not be considered a constraint, and the trees can be appropriately mitigated with a robust planting and landscape plan.
- 7.7.3 The consultee requested that any existing trees or hedgerows which are indicated for retention should be protected by appropriate fencing in accordance with BS5837:2012, which can be secured by a condition (which is included in condition 28 at the beginning of this report).

7.8 Land contamination

- 7.8.1 Policy DM13 states that development proposals will be required to clearly demonstrate that any unacceptable adverse impacts related to land contamination, landfill, land stability and pollution can be satisfactorily mitigated.
- 7.8.2 The applicant has submitted a Phase One Desktop Study and Phase Two Intrusive Assessment. The Council's Environmental Services Team has reviewed this report and has commented that the document includes an assessment of previous site uses and possible contaminants, allowing for the development of a CSM and risk assessment of potential contaminant linkages. The report concludes a worst case 'High' risk of potential linkages.
- 7.8.3 The consultee confirms that ground investigation results identified no contamination exceeding relevant guidance levels, and no pesticides were found. However, asbestos-containing materials (ACMs) are present within buildings due to be demolished and their removal will need to be carefully managed to avoid the need for further soil testing. Accordingly, condition 16 has been included at the beginning of this report.
- 7.8.4 The consultee also noted that geotechnical testing was not undertaken as part of this investigation and recommended that the applicant seek expert advice with regards to any requirements for specialised foundation types and / or floor slab design, amongst other relevant considerations. In addition, subject to the safe removal of any ACMs, Environmental Services commented that minimal remedial works are recommended by the report, to include a radon resistant membrane, which should be installed and verified in accordance with relevant standards.

7.8.5 Following completion of the asbestos survey, a remediation method statement and verification plan (to include proposals for soft landscaping) should be written. The consultee stated that this information may be provided either by pre-commencement conditions or at any reserved matters stage. Accordingly, condition 17 has been included at the beginning of this report.

7.8.6 The proposed development is therefore considered to comply with Policy DM13.

7.9 Archaeology

7.9.1 Leicestershire County Council's Archaeology Team has been consulted during the determination of this application. In its consultation response the consultee commented that it does not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets. It has therefore advised that the application warrants no further archaeological action. No concerns are therefore raised in this regard.

8. Overall Planning Balance and Conclusion

8.1 In summary, Policy CS1 directs the majority of new development, including employment, towards the PUA of Leicester. Croft is designated as a 'Medium Central Village' within the settlement hierarchy, where the scale of development will reflect the settlement's range of available services, facilities and public transport alternatives. Policy CS1 also actively encourages the use of Previously Developed Land (brownfield) and underused land and buildings within each settlement. The application site, currently occupied by three existing agricultural buildings, is classified as previously developed land, and its existing structures are proposed for demolition.

8.2 Policy CS6 further supports the provision of diverse employment opportunities within the district, facilitating business growth and inward investment, and enabling new smaller-scale employment uses in other settlements. It is also important to note that the site already benefits from planning permission for B2 and B8 use under planning application ref: 24/0686/FUL (for the change of use of existing agricultural buildings).

8.3 The new building would also help meet the needs of the current business, whilst enabling the future expansion of the business.

8.4 Policy CS18 states that in the Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. It is noted that in terms of landscape sensitivity, the overall assessment for large scale commercial development (warehousing – B8 use category) is scored as a medium – high sensitivity. However, the application site is already occupied

by three existing agricultural buildings, as well as a large area of hardstanding to the west. Even though the footprint and scale of the proposed building will be larger than the existing buildings, these differences are not considered to be significant. Given the site's previously developed nature, the proposed layout and scale (which indicatively includes increased landscaping), the proposals are considered to improve the appearance and character of the nearby landscape. Great weight is given to this benefit. The proposals are therefore considered acceptable, in principle.

- 8.5 The proposed development is considered acceptable in terms of their impact on the surrounding highway network and would not result in highway safety issues, from the point of view of the Local Highway Authority (subject to recommended conditions).
- 8.6 Other matters, including flood risk, impact on the amenity of nearby residents, ecology impacts, the provision of 10% BNG, arboricultural impacts, land contamination and archaeological impacts have also been taken into consideration, and the proposed development is considered acceptable in respect of these matters.
- 8.7 It is therefore recommended that outline planning permission be granted, subject to the applicant first entering into a Section 106 Agreement to secure S106 monitoring contributions (including BNG) outlined at the beginning of this report, and subject to the recommended conditions.
