

Delegated Report

Planning Reference

25/01229/FUL

Applicant(s)

Mr Shaan Chaudry of MAC
Developments & Construction
Ltd



Hinckley & Bosworth
Borough Council

Ward

Ambien

Application Site Drayton,

Land South Of Lindley Wood, Fenn Lanes, Fenny
Leicestershire

Proposal

Proposed Change of Use from Residential (Class C3) to sui generis, to include 240 self-storage containers and caravan self-storage; removal of one set of entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure.

1. Recommendations

- 1.1. **Grant planning permission** subject to the planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the proposed change of use from residential (Class C3) to sui generis, including the siting of 240 self-storage containers and an area of caravan self-storage; removal of one set of existing entrance gates and replacement of other entrance gates; provision of soft landscaping and sustainable drainage infrastructure ('the proposed development'), on Land South Of Lindley Wood, Fenn Lanes, Fenny Drayton, Leicestershire ('the site'). The previously permitted change of use on the southern part of the site to provide 11 dwellings (outline – access and layout only) (reference 15/00037/OUT & 19/00462/REM) granted 07/10/2016 and 20/12/2019 respectively, has never been fully implemented, however commenced with the laying of foundations back in 2021, and therefore is deemed as 'extant'.
- 2.2. As above, the application seeks permission for 240 self-storage containers along with an area designated for caravan self-storage use (Sui Generis). The storage containers, would be leased on a commercial basis for the storage of personal and business items, and will be provided in three sizes: 80 units of 10 ft (3.05m), 80 units of 20 ft (6.10m), and 80 units of 40 ft (12.2m). All units

are 2.5m in width, and a maximum of 2.4m in height. The caravan storage will be located at the southern end of the site and will not be occupied when stored on the site.

- 2.3. In addition, the proposed development also includes the removal of the existing entrance gates that are located part way down the un-adopted access track, along with the replacement of the existing gates to the site, to secure and controlled access gates that will serve the proposed storage areas. A band of tree planting along the western boundary of the site is proposed and will be located on the inside of the existing palisade fencing to soften the fence line and screen the storage areas from view.

3. Description of the Site and the Surrounding Area

- 3.1 The site is located approximately 1km to the east of the hamlet of Fenny Drayton and south of Fenn Lanes and is accessed via a single un-adopted track which serves the site, as well as agricultural buildings, uses and dwellings beyond the site. The site is surrounded by open fields which gives the area its rural character. The site is located circa. 4.5km and 5km from the nearest large settlements of Atherstone and Hinckley. There are views to/from the un-adopted track through to the site into the distant countryside beyond, with some views to/from Lindley Hall Farm to the south.
- 3.2 The site is classified as countryside, as it is located outside of the nearest settlement boundary of Fenny Drayton which is classified as a 'Rural Hamlet' within the settlement hierarchy defined by Hinckley & Bosworth Borough Council, with strict controls over development, with a limitation to the type of development allowed for by Policy 13 of the adopted Core Strategy.
- 3.3 The site is located within Flood Zone 1, meaning that it is at the lowest risk of fluvial flooding and a low to high risk of surface water flooding
- 3.4 Historically, up until 1930 the site was used as open farmland, soon after the site served as a landing base for the RAF during the Second World War. There were several buildings on site, now demolished (in 1968), apart from one, all of which were associated with the electrical supply to the RAF Nuneaton use. RAF Nuneaton was then developed into the MIRA testing grounds which later relocated nearby to the east of the site, now known as the MIRA Technology Park. The site appears to have remained derelict since and is covered entirely in existing hardstanding. The site itself is therefore classed as 'Brownfield' land given its historic uses.

4.0 Relevant Planning History

4.1 The relevant planning history for the Site (and immediately adjoining land) includes:

09/00592/C - Application dealt with by County for the creation of a composting site.

Refused 24.11.2009.

Dismissed on appeal reference: APP/M2460/A/10/2128382/NWF, dated 11.04.2007

14/00320/COU - Application for change of use of land to a plant storage yard including conversion of existing building to office and accommodation. Application returned on the 11.10.2016 and therefore not determined

15/00037/OUT (*southern part of the site*) – Application for the erection of up to 11 dwellings (outline - access and layout only) (revised). Outline permission granted 07.10.2016

19/00462/REM - Approval of reserved matters (appearance, landscaping and scale) of outline planning permission 15/00037/OUT for 11 dwellings. Approved, decision issued on the 20.12.2019

22/00078/FUL - Retrospective application for construction of entrance gates and wall (*on un-adopted track*).

Refused on the 07.09.2022. Dismissed on appeal, decision date 8 December 2022 (APP/K2420/W/22/3304167)

22/00079/FUL - Application for the erection of palisade fencing (Retrospective)

Application withdrawn

22/00194/CLE - Application for Certificate of Lawful Existing Development for continued use of land for commercial storage of plant, machinery and skips. Certificate refused on 18.05.22

22/00725/FUL - Proposed erection of palisade fencing (revised scheme of 22/00079/FUL)

Refused on 29/11/2022 and dismissed on appeal on the 24.04.2024 (APP/K240/X/22/3311456)

22/00804/CLE - Use of land for commercial storage of plant, machinery and skips

Refused and dismissed on appeal on the 24.04.2024 (APP/K240/W/22/3312970)

23/00166/FUL - Construction of entrance wall (Part Retrospective) (revised scheme to

planning application number 22/00078/FUL)

Refused 18/04/2023

23/00167/FUL - Proposed erection of palisade fencing and part widening and surfacing of private access (revised scheme of 22/00725/FUL)

Refused 18/04/2023, associated enforcement notice varied and upheld on appeal on the 24.04.2024 (APP/K240/C/23/3317487)

4. Publicity

- 4.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.
- 4.2 One response received from a nearby neighbour, neither objecting nor supporting the proposed development
- 4.3 A Ward Councillor objected on highway grounds stating, that they are surprised that LCC Highways claim no serious accidents within 500 metres of entrance. In the Councillors view the crossroads with the A444 is an accident blackspot and there are frequent accidents there including at least 2 fatal within last 10 years to the Councillors knowledge (response received 24.05.2026).

Consultation

Ecology

- 4.4 Following the receipt of additional information (the Preliminary Ecological Appraisal (Croft Ecology, March 2026)), relating to the likely impacts of the proposed development on designated sites, protected and priority species & habitats and the identification of appropriate mitigation measures, LCC ecology are now satisfied that there is sufficient ecological information available to support determination of this application and have no objections subject to 3 conditions:
 - A construction environmental management plan (CEMP: Biodiversity) to be submitted to and approved in writing by the local planning authority
 - Prior to occupation, a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) to be submitted to and approved in writing by the local planning authority.
 - Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations in Section 4.7 of the Preliminary Ecological Appraisal (Croft Ecology, March 2026) to be submitted to and approved in writing by the local planning authority.

LCC Highways

4.5 Leicestershire County Council as the Local Highway Authority, confirm that they would not seek to resist the proposals subject to conditions:

- no vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected within a distance of 15 metres of the highway boundary, nor shall any be erected within a distance of 15 metres of the highway boundary unless hung to open away from the highway.
- The development shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

4.6 LLFA

4.7 The Leicestershire County Council as the LLFA advises that the proposed development is considered to be acceptable based on the surface water management principles provided within the application. The development should be designed in accordance with the details provided.

4.8 LCC Archaeology – Historical and Natural Environment Team

4.9 No objections, the proposal does not warrant further archaeological action as they consider that the proposals will have no significant direct or indirect impact upon archaeological interest or setting of any known or potential heritage assets.

4.10 HBBC Drainage and Pollution – Environmental Health

4.11 No objection, subject to a Construction Environmental Management Plan to manage the environmental impacts during the development phase. Queries over operational hours and lighting. Suggest a condition regarding a watching brief in the event that contamination is found during development of the site

4.12 HBBC Arboricultural

4.13 No objection, but suggest tree protection measures during development of the site

5. Policy

5.1 Core Strategy (2009):

- Policy 13: Rural Hamlets
- Policy 17: Rural Needs

5.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation

5.3 National Planning Policies and Guidance:

- National Planning Policy Framework ('the Framework') (2024)
 - Section 2: Achieving sustainable development
 - 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

5.4 Other Relevant Guidance:

- HBBC's Landscape Character Assessment ('LCA') (2017)
- HBBC's Landscape Sensitivity Study ('LSS') (2017)
- Leicestershire Highway Design Guide ('LHDG') (2024)

6. Appraisal

6.1 The key issues in respect of this application are:

- The Principle of development
- Design, Landscaping and Amenity
- Highways – highway safety
- Trees and Biodiversity

- Drainage
- The Planning Balance

Principle of Development

- 6.2 Central to the Framework is a presumption in favour of sustainable development, which means that proposals which comply with an up-to-date Development Plan should be approved without delay. If the most important policies within the Development Plan are out of date, applications should be approved unless *“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits”* when assessed against the policies within the Framework.
- 6.3 The Development Plan for Hinckley and Bosworth Borough comprise the Core Strategy (adopted December 2009) and the Site Allocations and Development Management Policies DPD (adopted July 2016). Together, these documents provide the most up-to-date local policy framework and, for the most part, reflect national guidance. The Core Strategy predates the first publication of the Framework but remains broadly consistent with its objectives, while the Site Allocations DPD was adopted following the introduction of the Framework and therefore carries full weight despite its age. The National Planning Policy Framework (December 2024) sets out the Government’s approach to achieving sustainable development and confirms that due weight should be given to policies according to their degree of consistency with the Framework. Accordingly, where a proposal accords with the Development Plan as a whole and there are no material considerations that indicate otherwise, it should be approved as sustainable development.
- 6.4 The Framework places emphasis on promoting effective uses of land in meeting the needs of a variety of uses, whilst safeguarding and improving the environment and ensuring safe and healthy living conditions (paragraph 124 of the Framework). It goes on to say that planning decisions should seek to encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains (paragraph 125a of the Framework). Between them, paragraphs 89, 124 and 125 encourage the use of previously developed land (PDL), brownfield and under-utilised land in rural areas providing harm to the environment and surroundings are minimised. As referred to above, the site has been derelict since being decommissioned by MIRA in 1968. Given its historical uses, it is classed as previously developed / brownfield land. The proposed development would therefore bring redundant land back into use. The applicants advise (and have provided evidence) that there is a clear demand for a self-storage facility of this type nationally, and more specifically within the East Midlands and the local surrounding area. Meeting this demand on a brownfield site is a good use of land, reducing the pressures to develop on greenfield land within the vicinity. Moderate positive weight is afforded to this.

- 6.5 Moreover, permission 15/00037/OUT for 11 dwellings is understood to be lawfully implemented and so represents a legitimate fall-back position on the southern part of the site. This is a material consideration that weighs in favour of the principle of this application.
- 6.5 Policy DM4 states that development in the countryside will be allowed if proposals significantly contribute to economic growth, job creation and rural diversification. The proposed self-storage units and caravan storage area provide local businesses/individuals the opportunity to rent storage units/space in a safe and controlled environment thus supporting local economy. While notable, the contribution to economic growth, including the provision of two jobs, is not considered to be significant insofar as the policy wording. As such, the proposal is contrary to Policy DM4. However, the Framework offers a more flexible approach to PDL and brownfield sites within the Countryside this Policy which is therefore only given moderate weight against the development.
- 6.6 Overall, despite the harm to Policy DM4, the site's PDL / brownfield status and legitimate fall-back position for 11 dwellings means that the principle of the scheme is acceptable in these site-specific circumstances.

Design, Landscaping and Amenity

- 6.7 The storage containers (240 of varying sizes but moderate in scale) are to be located on the northern part of the site, with spacing in between each container to reduce any perceived density of the site. They will be single storey with a maximum height of 2.4m and painted a dark green, to help blend within their surroundings and reduce visual impact on the surrounding countryside.
- 6.8 Policy DM10, in accordance with paragraph 130 of the Framework, permits development providing the following requirements are met: it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, and would complement or enhance the character of the surrounding area. The views of the proposal are well shielded from the north, east, south-east and north-west but exposed from the south-west by users of the adjacent track, nearby dwellings and footpath T49c/1. The proposed 10m wide landscape buffer of conifer trees on the western boundary of the site would fail to sufficiently screen south-west views. To overcome this, a condition has been agreed to require the submission of amended site plan with more significant landscaping. The new layout could include a wider buffer, hedging and some bunding in combination native trees to ensure the woodland character of the area is preserved. A condition will also be added to ensure the containers are not stacked, to reduce the impact on the character of the area.

- 6.9 The uses proposed, combined with the separation distances from residential properties means that there will not be any unacceptable impacts on residential amenity.
- 6.10 With the suggested conditions, the proposed development accords with Policy DM10 by ensuring there will be no significant adverse impacts on privacy or amenity to both nearby residential properties and the character and appearance of the area.

Highways – Highway safety

- 6.10 The application was submitted with a supporting Transport Statement by TPA (2509-072/TS01A – January 2026). This states that there is a negligible impact upon the existing highway network at Fenn Lanes because “there will be only minimal increases in traffic during the network peak hours of 08:00–09:00 and 17:00–18:00, with a maximum uplift of two vehicles per hour compared to the consented position **[the residential consent]**. This equates to approximately one additional vehicle every 30 minutes, which is considered negligible”. Furthermore, the applicants state that due to “the inherent nature of the proposals, the majority of the storage containers will go days, if not weeks, without needing to be accessed”.
- 6.11 In addition to the above, the proposed layout of the containers and storage areas is designed to accommodate two-way traffic within the site minimising the risk of collision both within the site and the adjoining un-adopted track. There are four passing points on the un-adopted track allowing vehicles to pass safely with no adverse impact on existing residential uses and other uses who also use the track to access their land and properties.
- 6.12 Paragraph 116 of the Framework states that development should only be refused on highway grounds if there would be an unacceptable impact upon highway safety or residual cumulative impacts upon the highways network. The LCC as the Highway Authority consider that the proposed development would not adversely impact highway safety, and when considered cumulatively with other developments, the impacts on the road network would not be severe.
- 6.13 The proposed development is therefore considered to accord with Policy DM17 and paragraph 117 of the Framework.

Trees and Biodiversity

- 6.14 The Framework at section 15 states that development proposals should protect, contribute and enhance the surrounding natural environment, by protecting and preserving features of merit. Furthermore, Policy DM6 requires proposals to

demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

- 6.15 In England, BNG is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). This means that developers must deliver a BNG of 10%, which means a development will result in more or better-quality natural habitat than there was before development. The proposed development is situated, in its entirety, on an existing area of hardstanding with no significant natural features or habitats that support wildlife. The site therefore qualifies for the de minimis BNG exemption, whereby an exemption to development that does not impact a priority habitat and impacts less than 25 square metres of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows). As such, the proposed development is not required to demonstrate 10% biodiversity net gain. The application is accompanied by a BNG Exemption Statement, prepared by Croft Ecology.
- 6.16 Within the site itself there are no individual or groups of trees, the trees including those covered by a TPO, sit outside the site. The supporting statement 'Arboricultural Impact Assessment', prepared by Origin Environmental, sets out a series of recommendations at Chapter 8, page 10 and an accompanying Tree Protection Plan at Appendix 4, which will ensure that the adjacent trees are protected during the construction period and throughout the lifetime of the development. The applicants advise that there will be no additional hardstanding laid and no underground works are proposed.
- 6.17 The site is situated adjacent to two Tree Preservation Orders: TPO Order 1997 (W2), and TPO Order 1997 (W3). As no ground works will be undertaken at the site as part of the proposed works, the development will not infringe upon the integrity of the TPOs. Notwithstanding this, the conditioned tree protection measures will provide protection to existing trees during the development phase.
- 6.17 The proposed development therefore is in accordance with Policy DM6 and section 15 of the Framework.

Drainage

- 6.18 The site is located within Flood Zone 1 and comprises entirely of existing hardstanding. Submitted with the application is a Flood Risk Assessment (FRA) by Oakshire Environmental along with a Drainage Strategy. The FRA confirms that there are very limited areas of the site that are at risk of surface water flooding (0.1% AEP and 1% AEP). Localised surface water flooding would

occur in a 3.33% AEP event at the south east end and centre of the site, but flood depths across the majority of this area would not exceed 0.30m and almost no surface water flooding would occur to depths up to 0.60m. The flood risk maps form appendices to the FRA.

- 6.19 The proposals include the provision of sustainable drainage infrastructure, in the form of a swale. The indicative Drainage Strategy outlines the proposals in detail and demonstrates that the required 50% betterment standards upon the existing runoff rates can be achieved. The Leicestershire County Council as the LLFA advises that the proposed development is considered to be acceptable based on the surface water management principles provided within the application, and that the development should be designed in accordance with the details provided.

The Planning Balance

- 6.20 To conclude, the Development Plan is the starting point for decision making, and the Framework is a material consideration within the determination of planning applications and should be read in conjunction with each other and as a whole.

The site has an extant, implemented planning permission for the erection of 11 residential dwellings to the southern part of the site, and is formed entirely of existing hardstanding. The site is therefore classed as brownfield land, which is currently vacant and underutilised. Support for the development in accordance with paragraphs 89, 124 and 125 of the Framework is given moderate weight.

The proposals are contrary to Policy DM4 due to their moderate economic benefits. This harm is given moderate weight.

The proposed uses will provide needed and appropriate storage facilities in a sustainable location. The applicants have demonstrated that there is a clear demand for self-storage facilities within the local area (East Midlands and immediate area surrounding Fenny Drayton). This is given moderate weight.

The site layout, once revised with a suitable landscape buffer, will not result in significant harm to the character of the area. This is given neutral weight.

The proposals will result in a negligible impact upon the surrounding highway network and there are ample opportunities to park on-site immediately adjacent to the storage containers. Vehicles can enter and exit the site in a forward gear with no waiting on the highway at Fenn Lanes. The low impact nature of the proposals with regards to vehicle movements brings the proposals into

accordance with Policy DM17 and section 9 of the Framework. This is given neutral weight.

The accompanying Arboricultural Impact Assessment includes recommendations to ensure that the trees in proximity to the site are unaffected by the proposed works, and an appropriate scheme of mitigation during construction is also provided. This is given neutral weight.

Overall, the harm to Policy DM4 is outweighed by the economic benefits and support attributed to the reuse of PDL / brownfield land.

7. Equality Implications

7.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states: -

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

7.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

7.3 There are no known equality implications arising directly from this development.

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

8. Conclusion

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

9. Recommendation

- 9.1 **Grant planning permission** subject to the below conditions.

9.2 Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. Notwithstanding the indicated landscaping and internal site layout, the development hereby permitted shall be carried out in complete accordance with the submitted application details received by the Local Planning Authority as follows:

Site Location Plan, drawing no. 25/64 06B, prepared by Hayward Architects

Proposed Site Plan (scale 1:1250), drawing no. 25/64 03K, prepared by Hayward Architects

Proposed 10ft x 8ft Container Floor Plans and Elevations, drawing no. 25 64 07, prepared by Hayward Architects

Proposed 20ft x 8ft Container Floor Plans and Elevations, drawing no. 25 64 08, prepared by Hayward Architects

Proposed 40ft x 8ft Container Floor Plans and Elevations, drawing no. 25 64 09, prepared by Hayward Architects

Sustainable Drainage Options Appraisal & Strategy 16 May 2026, prepared by Oakshire Environmental

Preliminary Ecological Appraisal 23 March 2026 prepared by Croft Ecology

Aboricultural Impact Assessment, 15 December 2025 prepared by Origin Environmental

Transport Statement, January 2026 prepared by Transport Planning Associates, and email from applicant regarding trip generation dated 5 March 2026

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Prior to the commencement of development, a revised site plan and landscaping scheme shall be submitted to and approved in writing by Local Planning Authority. The scheme shall ensure views into the site are screened from the west. The development shall be carried out in accordance with the approved details.

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

4. The approved landscaping scheme shall be completed within one year of the use hereby approved first beginning and shall be maintained for five years from the date of planting. Any planting that dies, are damaged, removed or seriously diseased shall be replaced in the next planting season with a similar size and species to those originally planted.

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

5. The storage containers shall be placed at ground level and shall not be stacked.

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

6. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no vehicular access gates, barriers, bollards, chains or other such

obstructions shall be erected within a distance of 15 metres of the highway boundary, nor shall any be erected within a distance of 15 metres of the highway boundary unless hung to open away from the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2024).

7. The development hereby permitted shall not be occupied until such time as the access drive (and any turning space) has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the National Planning Policy Framework (2024).

8. Prior to commencement of development a Construction Traffic and Environmental Management Plan shall be submitted to and agreed in writing by the LPA. The plan shall detail how, during the site preparation and construction phase of the development, the impact on nearby residential premises and the environment shall be prevented or mitigated from mud dust, odour, noise, smoke, light and land contamination, as well as vehicle parking facilities. The works during the development phase shall thereafter be carried out in accordance with the approved details and timetable. The plan shall detail how such controls will be monitored and will provide a procedure for the investigation of complaints.

Reason: To minimise disruption to the neighbouring residents in the interests of neighbouring amenity, and to reduce the possibility of any deleterious material (mud, stones etc) being deposited on the adjoining un-adopted access track and Fenn Lanes and avoid a hazard to road users in accordance with Policies DM7, DM10 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.

- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority

Reason: To conserve protected and Priority species and allow the Local Planning Authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

10. Site preparation and construction shall be limited to the following hours;

Monday – Friday 07:30 – 18:00
Saturday 08:00 – 13:00

No working on Sundays and Public Holidays and Bank Holidays.

Reason: To minimise disruption to the neighbouring residents in the interests of neighbouring amenity, in accordance with Policies DM7, DM10 and DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. Prior to the commencement of development a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations in Section 4.7 of the Preliminary Ecological Appraisal (Croft Ecology, March 2026) shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

12. The development hereby permitted shall not be occupied until the details of any external lighting, including a lighting design strategy for biodiversity have been submitted to and approved by the Local Planning Authority. This information shall include:

- a. a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles).
- b. identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- c. show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To ensure that the development hereby permitted does not result in unacceptable levels of light pollution, and to allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended), and in accordance with Policies DM7 and DM10 of the adopted Site Allocations

Notes to Applicant(s)

1. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
2. Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted. Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management> Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice. This consent does not consider local watercourse bylaws. It is the responsibility of the applicant to check if the local borough or district council has their own bylaws which the proposals will also need to consider.