

Planning, Design and Access Statement in Relation to the Expansion of Car Park

Caterpillar UK Ltd, Peckleton Lane, Desford

September 2024

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1 Introduction

- 1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.
- 1.2 The author of this appraisal, Jon Imber, has worked as both a development control and forward planning officer in local government, and more recently as a senior planning consultant in the private sector. He has extensive knowledge of the planning system and experience of the appeals process. He is a member of the Royal Town Planning Institute.
- 1.3 This statement is to be read in conjunction with the plans and drawings prepared by JIL Design and Build Ltd, and the following specialist reports:-
- Arboricultural Report prepared by Apex Environmental
 - Phase 1 Geotechnical report prepared by Earth Environmental & Geotechnical
 - Ecological Assessment prepared by Estrada Ecology
 - Flood Risk Assessment prepared by Portland Consulting Engineers
 - Transport Statement and Framework Travel Plan prepared by Arup

2 Site and Planning History

- 2.1 The application site consists of the staff car park and adjoining landscaped areas at Caterpillar UK. The site forms part of a wider manufacturing facility located just south of the village of Desford.
- 2.2 The manufacturing facility has been operated by Caterpillar UK for over 70 years. Caterpillar UK employs just over 1,600 staff at the Desford facility, and it placed in the top 10 largest companies in Leicestershire in 2022.

- 2.3 The site is completely surrounded by land within the applicant's control. Neighbouring uses include playing fields to the north, factory buildings to the south and west and landscaping to the Peckleton Lane frontage to the east.
- 2.4 The site is accessed via the main entrance to the facility off Peckleton Lane.
- 2.5 The site has an extensive planning history. The most relevant applications to the current proposals are as follows:-
- 12/00335/FUL – Formation of new car park, internal access roads and relocation and alteration of earth bunds – Approved 27th June 2012
 - 15/00554/FUL – Alterations and extension of an existing car part to provide an additional 276 parking spaces – Conditionally approved 5th August 2015
 - 22/00486/FUL – Construction of a gravel filled polymer grid car park – Withdrawn 11th January 2023
- 2.6 The site and its surroundings are shown on the following aerial photograph.



3 The Proposed Development

- 3.1 The Desford facility employs just over 1,600 people. The current car park contains just under 1,000 spaces. Given the semi-rural location of the facility, and the limited accessibility via non-car modes of travel, the vast majority of employees travel to and from work by car. The site therefore regularly experiences shortages in available spaces, particularly around shift changes.
- 3.2 With future business expansion plans and recent significant investment in the site, it is imperative that the car park size is increased. It is proposed to extend and reconfigure the existing staff car part to provide 1,212 spaces, which represents an increase of 332.
- 3.3 The applicants have considered several options including providing new parking areas

elsewhere within the manufacturing complex. However, these alternatives have been discounted on the grounds of safety and security. Expanding the existing car park allows existing safety and security protocols to be maintained, keeping a single point of entry and exit and allowing its use to be closely monitored.

- 3.4 The proposals involve expanding the existing parking area onto landscaped areas to the north and south.
- 3.5 The expanded car park includes 12 disabled bays, 20 motorcycle parking spaces and 72 covered cycle stands.
- 3.6 The proposals also involve installing solar pv canopies over part of the existing car park to reduce the carbon footprint of the site.

4 Planning Policy Context

National Planning Policy Framework

- 4.1 Paragraph 2 of the NPPF states that *“applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”*.
- 4.2 Paragraph 11 of the NPPF establishes a presumption in favour of sustainable development. It explains that in the context of decision taking, this means approving proposals that accord with the development plan without delay.

- 4.3 Paragraph 12 confirms that the presumption in favour of sustainable development established by the Framework does not change the statutory status of the development plan as the starting point for decision making. Proposed development that conflicts with an up-to-date local plan should not usually be granted planning permission, and decisions that depart from an up-to date development plan should only be taken if material considerations in a particular case indicate that the plan should not be followed.
- 4.4 Paragraph 85 of the NPPF states that *“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.”*
- 4.5 Paragraph 88 of the NPPF states that planning should support the sustainable growth and expansion of all types of business and enterprise in rural areas. It also encourages the development and diversification of agricultural and other land-based rural businesses.
- 4.6 Paragraph 180 of the NPPF states that planning decisions should protect valued landscapes and recognise the intrinsic character and beauty of the countryside.

[Hinckley and Bosworth Core Strategy \(2009\)](#)

4.7 *“Policy 7: Key Rural Centres*

To support the Key Rural Centres and ensure they can provide key services to their rural hinterland, the council will:

- *Support housing development within settlement boundaries that provides a mix of housing types and tenures as detailed in Policy 15 and Policy 16.*
- *Support development under Policy 17: Local Needs.*
- *Ensure there is a range of employment opportunities within the Key Rural Centres. To support this, the enhancement of allocated employment sites in the Key Rural Centres will be supported, as will the development of employment uses including home working within the settlement boundary.*
- *Support new retail development to meet local need within defined local centre boundaries in the Key Rural Centres providing it will have no detrimental impact on the Hinckley town centre.*
- *Resist the loss of local shops and facilities in Key Rural Centres unless it is demonstrated that the business or facilities can no longer operate in a viable manner. Initiatives to establish local stores and facilities will be supported.*
- *Require transport improvements in line with Policy 14.*
- *Support the development of the tourism industry in line with Policy 23.*
- *Require development to be of the highest environmental standards in line with Policy 24.”*

4.8 Policy 8 of the Core Strategy states that in Desford the Council will “*Support additional employment provision to meet local needs in line with Policy 7*”.

Hinckley and Bosworth Site Allocations and Development Management Policies DPD (2016)

4.9 The SADMP allocates the Caterpillar UK site as an Employment Site, and the sports facilities to the north of the existing car park as Outdoor Sports Facilities.

4.10 ***“DM8 Safeguarding Open Space, Sport and Recreational Facilities***

Planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use and areas of open space, as identified in the most recent Open Space, Sport and Recreational Facilities Study, except where:

- a) A replacement of an equivalent typology is provided, as defined by the most recent Open Space, Sport and Recreational Facilities Study, in an appropriate location serving the local community; or*
- b) It is demonstrated that there is a surplus of recreational land, facilities or open space of the same typology exceeding the needs of the local community; or*
- c) The development of a small part of a larger site in recreational use would result in the enhancement of recreational facilities on the community. remainder of the site, or on a nearby site serving the same*

Proposals which relate to Natural and Semi-Natural Open Spaces should also accord with Policy DM9.”

4.11 “Policy DM10

Development and Design

Developments will be permitted providing that the following requirements are met:

- a) It would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion;*
- b) The amenity of occupiers of the proposed development would not be adversely affected by activities in the vicinity of the site;*
- c) It complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features;*
- d) The use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the local area generally;*
- e) It incorporates a high standard of landscaping where this would add to the quality of the design and siting;*
- f) It maximises opportunities for the conservation of energy and resources through design, layout, orientation and construction in line with Core Strategy Policy 24;*

- g) Where parking is to be provided charging points for electric or low emission vehicles are included where feasible;*
- h) An appropriate Sustainable Drainage Scheme is submitted to and approved by the relevant Authority. Schemes should incorporate wildlife areas, ponds, swales and permeable paving where appropriate;*
- i) It maximises natural surveillance and incorporates the principles of Secured by Design and has considered the incorporation of fire safety measures.*

In exceptional circumstances where outstanding, innovative design is demonstrated (particularly where high levels of sustainability are an integral feature), applications will be considered favourably, even where this may result in some limited conflict with the above criteria”.

- 4.12 The Caterpillar UK site is identified as a Category A Employment Site within the Council’s latest Employment Land and Premises Review. Policy DM19 of the SADMP states *“The Borough Council will seek to retain sites classified as Category A sites in their entirety, for B1, B2 and B8 employment uses. The development of non B class uses in Category A sites will only be allowed in exceptional circumstances. Proposals must demonstrate that they would not have a significant adverse impact on surrounding employment uses. “*

5 Planning Considerations

Principle of Development

- 5.1 The existing car park and factory site are identified as an employment site within the SADMP. This allocation includes the site of the proposed expansion of the car park to the south. Policy DM19 of the SADMP is relevant to development in this area.

- 5.2 The proposed car park expansion is required to address a shortfall in staff parking provision across the site. The existing car park is generally used to capacity, which causes significant problems during shift changes. By expanding the car park as proposed, Caterpillar will be able to maintain high levels of safety and security whilst continuing to attract and employ talent from the local area. The expanded car park will also allow for a new production line to come on stream in 2025, creating an additional 130 jobs at the factory. The creation of an extended car park together with cycle and motorcycle manufacturing facility is therefore consistent with the aims of Policy DM19 of the SADMP.
- 5.3 The site of the car park expansions to the north is also within the manufacturing site perimeter. However, this land forms part of the factory's sports ground, and as such the provisions of Policy DM8 of the SADMP are applicable.
- 5.4 Policy DM8 safeguards against the loss of open space. The National Planning Policy Framework defines open space as all open space of public value. At the time of adoption of the SADMP the sports ground was available for community use. However it is no longer accessible to the public. As such the sports ground no longer meets the NPPF definition of open space and there is no conflict with the spirit of Policy DM8.
- 5.5 Despite being a private facility, the sports ground continues to meet the definition of a playing field as set out in the Development Management Procedure Order. Sport England's Playing Fields Policy is therefore relevant.
- 5.6 Sport England's Playing Pitch Policy reads as follows:

"Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:

- *all or any part of a playing field, or*
- *land which has been used as a playing field and remains undeveloped, or*
- *land allocated for use as a playing field*

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.”

5.7 The five exceptions are set out below:-

Exception 1 - A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.

Exception 2 - The proposed development is for ancillary facilities supporting the principal use of the site as a playing field or playing fields, and does not affect the quantity or quality of playing pitches or adversely affect their use.

Exception 3 - The proposed development affects only land incapable of forming part of a playing pitch and does not:

- reduce the size of any playing pitch
- result in the inability to use any playing pitch (including the maintenance of adequate safety markings (run-off areas);
- reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;
- result in the loss of other sporting provision or ancillary facilities on the site; or
- prejudice the use of any remaining areas of playing field on the site.

Exception 4 - The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field or fields:

- of equivalent or better quality, and
- of equivalent of greater quantity, and
- in a suitable location, and
- subject to equivalent or better accessibility and management arrangements.

Exception 5 - The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

- 5.8 Whilst there are alternative sports facilities available to the local community in Desford, including pitches for hire at Bosworth Academy and Sport in Desford, there has not to date been a formal assessment of supply against current and projected demand and as such it is not the applicant's case that Exception 1 is triggered at the current time.
- 5.9 The proposals do not constitute sports facilities and as such Exceptions 2 and 5 are not triggered.
- 5.10 There are no current proposals to provide alternative facilities to mitigate against the loss of playing fields and as such Exception 4 is not triggered at the present time.
- 5.11 It is, however, considered that Exception 3 is triggered. The proposed areas of expansion to the north of the existing car park are largely taken up by tree covered bunds. They are uneven and are not drained, and are not formally marked out as playing pitches. The extent of the bunds and landscaping is shown on the following excerpt from the site plan. The dashed line shows the northern extent of the car park, the dark green area shows trees and landscaping and the solid black polygons show the bunds.



- 5.12 The existing football pitch to the north of the sports centre building is enclosed by fencing. The fence lies approximately 28 metres from the bund to the west of the sports centre building and approximately 24 metres from the bund to the east.
- 5.13 The FA recommends that a 5v5 mini-soccer pitch measures 40 yards by 30 yards. It also recommends a runoff of 6 yards around the pitch, giving a recommended size of 46 yards by 36 yards. This equates to approximately 42 metres by 33 metres. It would not be possible to fit a 5v5 mini soccer pitch between the landscaped bunds and the existing football pitch.
- 5.14 The proposed parking areas are sufficiently distant from the existing football pitch to result in risk of ball strike.
- 5.15 There is a cricket square just to the west of the football pitch. The square is in poor condition and is not suitable for competitive play in its current state. The square lies

approximately 30 metres from the fence surrounding the football pitch and as such the available outfield is currently too small for competitive cricket.

- 5.16 The proposals therefore utilise land incapable of forming part of a pitch, do not reduce the size of any existing playable pitch, do not prejudice the use of any existing playable pitch and do not compromise the ability of the existing pitches on the site to be reconfigured. No existing sporting facilities or ancillary facilities will be lost.
- 5.17 The proposals therefore trigger Exception 3 set out in Sport England's Playing Pitch Strategy.
- 5.18 The broad principle of the proposals is therefore in accordance with local and national planning policy.

Visual Impact

- 5.25 The proposed car park extensions, ancillary buildings and solar canopies would not be readily visible from public vantage points outside of the factory complex. The extensions are viewed in the context of the existing car park and surrounding factory buildings, and views from the public highway would be screened by established trees around the site perimeter.
- 5.26 The proposals would not therefore appear out of keeping with their built context.

Impact upon Residential Amenity

- 5.27 The site is remote from residential properties. The proposals would not therefore detrimentally affect the amenities enjoyed by the occupiers of nearby dwellings.

Impact upon Highway Safety

- 5.28 Paragraph 115 of the NPPF states that “Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”
- 5.29 The proposals seek to cater for parking requirements associated with the existing operation of the site. They will not materially affect trips to and from the site.
- 5.30 The proposals do not affect access arrangements onto Peckleton Road.
- 5.31 The proposals will not therefore prejudice the safe or efficient use of the highway network.

Flood Risk

- 5.32 The application site lies within Flood Zone 1 where there is a less than 1 in 1000 annual probability of fluvial flooding. Flood risk is not therefore a constraint to development in this instance.
- 5.33 The application is accompanied by a Flood Risk Assessment and Drainage Strategy which demonstrate that surface water runoff can be satisfactorily attenuated on site. The proposals will not therefor exacerbate the risk of flooding off site.

Impact on Ecology

- 5.34 Paragraph 186 of the National Planning Policy Framework states *“if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused”*.
- 5.35 The application is accompanied by an ecological assessment, which sets out measures to mitigate harm to protected species or their habitat. The proposals will not affect designated sites.
- 5.36 The ecological assessment includes a calculation of Biodiversity Net Gain.
- 5.37 The proposals will not therefore result in harm to biodiversity and as such comply with Paragraph 186 of the National Planning Policy Framework

Impact on Trees

- 5.38 The application is accompanied by an arboricultural assessment which concludes that the majority of trees to be removed to facilitate the proposed development are Category C and U specimens, the loss of which is adequately compensated for through the new tree planting proposed.

6 Conclusions

- 6.1 The application proposes the expansion of a car park serving an existing and established manufacturing facility.

- 6.2 With future business expansion plans and recent significant investment in the site, it is imperative that the car park size is increased. The expansion would allow Caterpillar to maintain high levels of safety and security whilst continuing to attract and employ talent from the local area. The creation of an extended car park together with cycle and motorcycle parking at this manufacturing facility is therefore consistent with the aims of Policy DM19 of the SADMP.
- 6.3 The proposals would not result in the loss of any sports pitches. They would involve a very minor loss of sports fields, but these areas are incapable of being used as pitches and the proposals will not therefore prejudice sports or outdoor recreation provision.
- 6.4 The proposals would not appear alien or unduly prominent and are an appropriate response to their context in visual terms. The proposals would not harm the character or appearance of their surroundings.
- 6.5 The proposals would not detrimentally affect the amenities enjoyed by the occupiers of nearby residential properties.
- 6.6 The proposals would not compromise the safe or efficient use of the highway network.
- 6.7 The proposals would not be at unacceptable risk of flooding, and would not exacerbate flood risk in the surrounding area.
- 6.8 The proposals would not harm protected species or their habitat. The proposals would deliver a net gain in biodiversity through increased landscaping and planting.

6.9 The broad principle of development is therefore supported by local and national policies, including Policies DM19 of the Hinckley and Bosworth Site Allocations and Development Management Policies Development Plan Document and Paragraph 85 of the National Planning Policy Framework. There are no technical barriers to consent being granted in this instance.

6.10 In accordance with the presumption in favour of sustainable development it is therefore respectfully requested that planning permission be granted in this instance.