

Planning Ref: 23/00925/FUL

Applicant: Mr R Higgott

Ward: Barlestone Nailstone And Osbaston

Site: Crown Farm Bagworth Road Nailstone

Proposal: Change use of six agricultural buildings to a storage and distribution use (Class B8) and associated landscaping and boundary treatment



Hinckley & Bosworth
Borough Council

1. Recommendations

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

2. Planning application description

- 2.1. The previous application on the site (21/00664/FUL) which was for 'Change of use from agricultural to storage and distribution (Class B8)' was recommended for approval by officers. Subsequently, during the Hinckley & Bosworth Planning Committee on 16th November 2021, members resolved to approve the application subject to the completion of a Section 106 agreement. Due to the intended occupier failing to conclude on an agreed deal to purchase the land, the application was withdrawn prior to the Section 106 agreement being completed. As such, the permission was not formally granted.
- 2.3 Whilst the permission was not granted in 2021, the recommendation for approval and subsequent committee resolution is a material consideration in the context of this application.
- 2.4 The current application also proposes the change of use of modern farm buildings to storage and distribution (use class B8). It has a larger site area that encompasses most of the areas of additional planting that would have been secured via legal agreement under the previous application. No additional built development is proposed. There are six buildings totalling 2,581sqm of floorspace.
- 2.5. A previous application for a larger proposal relating to 7 buildings and an outside storage area was submitted in 2020 but withdrawn due to lack of information regarding addressing the highway safety concerns. The current proposal omits the outside storage and the floor area of the change of use is reduced by 697sqm. Additional highways appraisals have also been carried out.
- 2.6. The proposal retains the boundary hedge to the north of the site and provides additional planting, including a National Forest native planting area of 260sqm to the north western corner. In addition, amended plans show a proposed mix of tree types that include Field Maple and Oak as well as new native hedgerows to the western and southern boundaries of the adjacent agricultural field and to the southern boundary of the adjacent silage storage area.
- 2.7. Improvements to the access comprising widening and hard surfacing are proposed and the relocation of the existing gates 30m back from the carriageway to allow HGVs to pull clear of the highway. The amended site layout provides 22 car parking

spaces (including 6 with electric charging points), a 16 cycle under cover storage area and HGV parking / unloading areas.

3. Description of the site and surrounding area

- 3.1. Crown Farm is currently a mixed arable and cattle operation, with 108 acres of arable land surrounding the farmhouse owned by the applicants and a further 225 acres of grazing on licence at Theddingworth in the Welland valley. The cattle are housed at Crown Farm over the winter and grazed at Theddingworth over the summer. The remainder of the modern agricultural buildings at Crown Farm are used for farm machinery and storage.
- 3.2. At present Crown Farm is a working farm but due to ill health, the intended retirement of the owner and the lack of family to continue with the farm, it is stated that it is proposed to dispose of the surrounding farmland and so, in those circumstances, the buildings would become redundant. The stock would also be sold.
- 3.3. The site is accessed from the B585 Bagworth Road which is subject to the national speed limit (60mph). The village of Nailstone lies approximately 0.5 miles to the west. A public bridleway and Nailstone Wood lie to the north of the application site. There is a further public footpath to the south of Crown Farm (Ivanhoe Way).

4. Relevant planning history

05/00656/GDO

- ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING
- Prior approval not required
- 06.07.2005

06/00112/GDO

- ERECTION OF GENERAL PURPOSE AGRICULTURAL BUILDING
- Prior approval not required
- 07.03.2006

07/00119/FUL

- EXTENSION AND ALTERATIONS TO DWELLING
- Permitted
- 13.03.2007

07/00737/FUL

- ERECTION OF AGRICULTURAL BUILDING
- Permitted
- 08.08.2007

10/00543/GDO

- ERECTION OF AN AGRICULTURAL BUILDING.
- Prior approval not required
- 29.07.2010

19/00421/GDO

- Storage building
- Prior approval not required
- 12.06.2019

20/01290/FUL

- Change of Use to Storage (Class B8)
- Withdrawn
- 19.04.2021

21/00664/FUL

- Change of use from agricultural to storage and distribution (Class B8)
- Withdrawn
- 04.11.2021

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site. No comments were received.

Consultations

- 5.2 No objection from Nailstone Parish Council
- 5.3 No objections to the plans as amended from National Forest Planning but concern expressed regarding landscaping
- 5.4 No objections from HBBC Environmental Services
- 5.5 No objections from HBBC Waste Services
- 5.6 No objections from LCC Highways subject to conditions relating to provision of the access improvements, visibility splays, parking, gates, drainage and surfacing.

6. Policy

- 7.1. Core Strategy (2009)
- Policy 12: Rural Villages
 - Policy 21: National Forest
- 7.2. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM15: Redundant Rural Buildings
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
 - Policy DM20: Provision of Employment Sites
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2021)

- Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)

7. **Appraisal**

8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character and appearance of the area
- Impact upon neighbouring residential amenity
- Impact on ecology
- Impact upon highway safety
- Drainage and Pollution

Assessment against strategic planning policies

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) (2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications.

Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

- 8.3 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).
- 8.4 Policy 12 of the Core Strategy identifies Nailstone as a Rural Village and supports small scale employment uses within Rural Villages, however the application site is detached from the village and resides within the countryside.
- 8.5 Policy DM20 of the SADMP indicates that new employment for B8 uses outside allocated employment areas will be supported where they stand within settlement boundaries or on previously developed land. However, agriculture is defined as greenfield land, and therefore not considered as previously developed land.
- 8.6 The proposed site lies outside of any settlement boundary or employment site allocation. As such, Policy DM4 in the SADMP applies to this site in the countryside. This policy allows for sustainable development within the countryside providing it meets certain criteria. The criterion which could apply for this commercial use would be:
- DM4c) the proposal would significantly contribute to economic growth, job creation and/or diversification of rural businesses.
- 8.7 In addition, Policy DM4b) states that sustainable development in the countryside would include the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting.
- 8.8 In addition, Policy DM15 of the SADMP does allow the re-use and / or adaptation of

redundant rural buildings outside settlement boundaries, provided the building is no longer viable in its current use, it is structurally sound and capable of conversion and any proposed extensions are proportionate to the size, scale, mass and footprint of the original building and situated within the original curtilage. All development proposals for the re-use of rural buildings should result in an enhancement of its setting.

- 8.9 At present Crown Farm is a working farm but as explained in Section 3 of this report, due to the ill health, the intended retirement of the owner and the lack of family to continue with the farm, it is proposed to dispose of the surrounding farmland. However, the size of the holding at Crown Farm being 108 acres (43.7 hectares) it is unlikely to be viable as a stand-alone modern agricultural unit. Whilst there has been some interest in the land from neighbouring farms in order to improve the viability of their own holding, there is little benefit for them in obtaining additional remote buildings, and so the outbuildings at Crown Farm will become redundant. The stock will also be sold on. As can be seen from the Planning history the buildings are relatively recent, in good condition and capable of re-use. They are not though considered to be no longer viable for their current use.
- 8.10 No extensions or additional buildings are proposed and an enhancement of the setting is provided by additional landscaping, including 260 sqm of native planting close to the road. In addition a 25 tree mix of Field Maple Tree, Sweet Cherry Tree, Crab Apple Tree and Oak Tree is proposed. Proposed native hedgerow mix will be also planted at least 750mm from fence line and at 5 plants per metre. This hedging includes Hawthorn, Hazel, Blackthorn, Field Maple, Dog Rose or equivalent. The existing hedgerow is to be kept and maintained to around 4m in height.
- 8.11 In terms of rural development, paragraph 84 of the NPPF indicates that the rural economy can be supported by the growth of business in rural areas through conversion of existing buildings and the development and diversification of agricultural businesses. It advises that Planning Authorities should recognise that sites to meet local business needs in rural areas may have to be found beyond existing settlements and in locations that are not well served by public transport. Such developments should ensure that development is sensitive to its surroundings and does not have an unacceptable impact on local roads.
- 8.12 The application site is allocated as countryside. It is not located adjacent to an employment site allocation for the purposes of Policy DM20. As such whilst the creation of an employment site in this location would be contrary to the criteria in Policy DM20 of the SADMP, the principle of the proposed change of use can be accepted under criteria b) and c) of Policy DM4 in that the proposal would seek to reuse existing buildings, subject to the enhancement of the immediate setting. Taking into consideration these policies and advice in the NPPF, there are no in principle objections to the re-use of the buildings at Crown Farm for B8 purposes, subject to an enhancement of the setting and consideration of detailed impacts as a result of the development, such as the visual impact on the countryside and the impact on highway safety.

Impact on the character and appearance of the area

- 8.13 Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 8.14 Policy 21 of the Core Strategy states that within the National Forest, new developments will be required to reflect the Forest context in their accompanying landscape proposals.
- 8.15 Policy DM4 of the SADMP states that to protect the intrinsic value, beauty, open character and landscape character, the countryside will be safeguarded from unsustainable development. DM4(b) and DM4(c) identifies the change of use of existing buildings and development that contributes to economic growth as sustainable development, subject to enhancement of the setting and provided it does not have a significant adverse effect or does not undermine the physical and perceived separation and open character between settlements.
- 8.16 Policy DM4 also requires that where the site lies within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Policy 21 of the Core Strategy.
- 8.17 The site lies in open countryside, some 0.5 miles from the village of Nailstone. The application is accompanied by a Landscape Appraisal which assesses the site in its context and makes recommendations to enhance its setting with new landscaping. Amended plans received on 22/11/2023 show a higher number of larger tree types which it is considered benefits the proposal. It is considered though that there is a need for the proportion of larger tree species to be improved further and this is therefore addressed via condition. Given the proposal is for a change of use from agricultural use to B8 storage and distribution, that although it would not introduce additional built form, the ancillary changes in the nature of the use are such that a condition regarding improved landscaping proposals is required in order to address the impacts of the development on the surrounding landscape.
- 8.18 The buildings would not be extended or altered. The planting of new native hedgerows and trees would strengthen the local landscape character and support the objectives of the National Forest. National Forest Planning have acknowledged this, and the proposals include an area of new native planting close to the entrance into the site of around 260sqm, in addition to other planting around the site.
- 8.19 There would be no implications on the physical or perceived separation and open character between settlements as a result of the change of use of the existing buildings and there would be enhancements to its setting as a result of new planting, including views from the nearby public rights of way. No off site planting is proposed as it is considered the proposed landscaping on site is sufficient in principle subject to the condition regarding improved landscaping. The landscaping of the application site itself, including tree planting to the front of the buildings and the 260sqm new native planting is secured via condition.
- 8.20 The proposal is therefore, subject to condition, considered to comply with the requirements of Policies DM4 and DM10 of the SADMP and Policy 21 of the Core Strategy and would not have an adverse impact on the character and appearance of the area.

Impact on neighbouring residential amenity

- 8.21 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy or amenity of nearby residents and occupiers of adjacent buildings and the amenity of occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site
- 8.22 There are no non-ancillary dwellings in the immediate area and Nailstone village is

approximately 0.5m away. It is considered that there would be no direct impact on neighbouring residential amenity in terms of loss of light, privacy, noise and odour as a result of the development of a B8 use at Crown Farm. Highways issues and the visual impact on the countryside are discussed elsewhere in this report. The proposal therefore complies with Policy DM10 of the SADMP in terms of its impact on neighbouring residential amenity.

Impact on ecology

- 8.23 Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.24 The proposal is for the re-use of modern agricultural buildings which are not suitable habitat for protected species such as bats. The remainder of the site is largely hard surfaced. The proposal retains the native hedgerow to the northern boundary and this could be secured by a condition. In addition, further planting is proposed through additional landscaping of the site, including tree planting in front of the buildings and a new 260sqm native species planted area adjacent to the paddock between the site and Nailstone Wood.
- 8.25 Existing hedgerow along Bagworth Road is to be kept and maintained at around 4m in height. New native hedgerow is proposed for the southern boundary of the site. With appropriate and increased on-site landscaping proposals (secured by condition) it is considered off-site enhancements (and therefore s106) are not necessary to make the proposals acceptable in planning terms. However, in the absence of suitable features of habitat and the enhancement of biodiversity through the additional landscaping, it is considered that biodiversity would be enhanced and the proposal therefore complies with Policy DM6 of the SADMP.

Impact upon highway safety

- 8.26 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Paragraph 111 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.27 The site is situated on Bagworth Road which is a Class B road from Newbold Verdon to Ellistown. The road is subject to the National speed limit of 60mph. the access at present is 5m wide with metal gates. Visibility of 2.4m x 156m to the left and 2.4m x 213m to the right is available. The site access would be widened to 7.3m wide as well as providing a hard bound surface and set back of the existing gates to 30m from the highway. This would allow large vehicles including HGVs to pull clear of the highway. At present the access is used by agricultural vehicles / trailers etc. and the applicants have indicated this use produces approximately 9 arrivals and 9 departures per day, although this can be significantly higher at certain times of the year. The applicants have confirmed that alternative access to the surrounding agricultural land will not be required once the new use commences.
- 8.28 There would be no requirement for HGVs to access the site via Nailstone village, which is subject to a weight restriction. Breeches of the weight restriction are a police matter.

- 8.29 The application provides a Transport Statement and TRICS data relating to typical B8 uses, which the applicant states is likely to be in excess of their operating requirements. However, it should be noted that the permission if granted would allow an alternative B8 use to operate from the site.
- 8.30 Based on the application forms the site could employ up to 18 members of staff and due to the location of the site it is likely that these would arrive via private car. Customers are also able to book visits to the site. The amended plans provide cycle parking and electric vehicle charging points. In terms of its location and the re-use of redundant (or soon to be redundant) buildings in the countryside, it is acknowledged by paragraph 84 of the NPPF that Planning Authorities should recognise that sites to meet local business needs in rural areas may have to be found beyond existing settlements and in locations that are not well served by public transport.
- 8.31 The Local Highway Authority (LHA) initially responded to the current application by stating that there appear to be discrepancies between the access arrangements accepted by the LHA as part of application 21/00664/FUL (The Drawing Room drawing number 3525-01 Rev I) and the current proposals. Notably the junction radii, which did not appear to be amended on the proposed drawings. Furthermore, the swept path analysis of the HGV using the site access was unclear as it did not show the vehicle or full extents of the tracking and lacked detail of the vehicle dimensions.
- 8.32 Following receipt of additional information the LHA were re-consulted and final comments were 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.
- 8.33 Therefore, subject to conditions relating to the provision of access in accordance with the plans, parking, visibility splays, gates and surfacing there would be no significant adverse impact on highway safety as a result of the development and it does not conflict with paragraph 111 of the NPPF (2021). The proposal therefore complies with Policies DM17 and DM18 of the SADMP.

Drainage and Pollution

- 8.34 Policy DM7 states that development should not create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against.
- 8.35 Policy DM7 also states that adverse impacts from pollution and flooding will be prevented by ensuring that development proposals will not adversely impact on water quality, ecological value or drainage function, avoid obtrusive light intrusion, noise pollution and air quality and should not create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against. Appropriate containment solutions for possible contaminants and remediation of contaminated land in line with minimum national standards should be undertaken.
- 8.36 The site is within Flood Zone 1 (low risk) and the proposal is for the re-use of existing buildings and so does not raise issues of flooding or drainage. A B8 Storage and Distribution use is unlikely to result in excessive noise or pollution as a result of industrial processes. Lighting in rural areas needs particularly careful consideration but this could be controlled by a condition, requiring the approval of details of any additional lighting. No objections to the proposal have been received from HBBC Environmental Services.

- 8.37 The proposal would not have an adverse impact on flood risk or pollution risk and so complies with Policy DM7 of the SADMP.

9. Equality implications

- 9.1 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.

- 9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

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

- 9.4 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).

10. Conclusion

- 10.1. The application site is located outside the settlement boundary of Nailstone and it is not located adjacent to an employment site allocation for the purposes of Policy DM20. As such whilst the creation of an employment site in this location would be contrary to the criteria in Policy DM20 of the SADMP, Policy DM4 of the SADMP identifies that the re-use of the buildings for commercial purposes can be considered sustainable development under criteria b) and c). The proposal would enhance the setting of the site through additional landscaping secured through a condition (on site enhancements). It therefore represents an acceptable re-use of an existing building in the countryside and the development would not adversely impact upon the rural character and appearance of the area, biodiversity, flood risk and pollution or neighbouring residential amenity. There would be no significant adverse impact on highway safety subject to conditions. The proposal complies with Policies DM1, DM4, DM6, DM7, DM10, DM17 and DM18 of the Site Allocations and Development Management Policies DPD (2016) and advice within the NPPF.

11. Recommendation

- 11.1 **Grant planning permission** subject to the following conditions

- 11.2 That the Planning Director be given powers to determine the final detail of planning conditions.

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. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan with visibility splays Drg No. P001 Rev A

Proposed Site Plan Drg No. P003 Rev C

Proposed Site Plan with vehicle tracking Drg No. P004 Rev C

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

3. Notwithstanding the submitted Proposed Landscape Plan P005 Rev E, buildings 3, 4, 5 and 6 shall not be brought into use until full details of soft landscaping works for the site have been submitted in writing to and approved in writing by the Local Planning Authority. The soft landscaping scheme shall be based on the abovementioned plan and shall provide a minimum of 25 trees, excluding any trees to be planted in the area of dedicated National Forest Planting to the north of the access. The 25 trees shall be extra heavy standard in size and at least 75% shall be larger species (field maple and oak). The landscaping shall be implemented in full in the first planting season following any two of the four buildings mentioned above being brought into use. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The hedgerow along the northern boundary of the site shall be retained at a minimum height of 4 metres so long as the development hereby approved remains and none of the existing hedges on the site shall be cut down, uprooted or destroyed, other than in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the hedges to be retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that hedge shall be of such size and species, and shall be planted at such time, as maybe specified in writing by the Local Planning Authority.

Reason: To ensure that the existing hedgerows on the site are retained and protected in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. There shall be no storage of materials, plant, oil drums, tyres or waste materials of any description on the open area of the site, unless otherwise indicated on the approved plan.

Reason: In the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. No external lighting of the site shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Class Q drawing number P001 Rev. A have been implemented in full.

REASON: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (2023).

8. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4 x 160 metres to the southeast and 2.4 x 200 metres to the northwest have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.

REASON: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety, and in accordance with the National Planning Policy Framework (2023).

9. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Class Q drawing number P003 Rev C. Thereafter the onsite parking provision shall be so maintained in perpetuity.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

10. The development hereby permitted shall not be occupied until such time as the existing gates to the vehicular access have been permanently removed. 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 20

metres of the highway boundary, nor shall any be erected within a distance of 20 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 (2023).

11. No part of the development hereby permitted shall be occupied until such time as site drainage details have been provided to and approved in writing by the Local Planning Authority. Thereafter surface water shall not drain into the Public Highway and thereafter shall be so maintained.

REASON: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to road users in accordance with the National Planning Policy Framework (2023).

12. 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 20 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 (2023).

13. No development shall take place until a scheme makes adequate provision for waste and recycling storage of containers and collection across the site which has been submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided at the adopted highway boundary to store and service wheeled containers.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

1. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicester shire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>

2. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
3. Businesses should arrange their own business/trade waste collection service. If you give your waste to someone else you must be sure that they are authorised to take it and can transport, recycle or dispose of it safely