

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Sarah Flamson
Cadeby Tree Trust
New Farm Hinckley Road
Leicestershire
Cadeby
CV13 0BD

Name and Address of Agent (if any)

Simon Cheshire BA(Hons) DipTP MRTPI
Simon Cheshire Planning Ltd
34 Stanley Road
Market Bosworth
Nuneaton
CV13 0NB

Part I - Particulars of Application

Date of Application

27 June 2022

Application No.

22/00625/FUL

Particulars and location of development :

Erection of agricultural storage building

New Farm Hinckley Road Cadeby Nuneaton Leicestershire

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following 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.

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
- Road Reference Plan (submitted: 15.07.2022)
 - Block Plan (submitted 27.06.2022)
 - Site Location Plan (submitted 27.06.2022)
 - Proposed Agricultural Building Dwg No 22-16111 (submitted: 27.06.2022)

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. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the approved plans.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. During the construction period, none of the trees or hedges indicated to be retained shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the trees or hedges to be retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that tree or 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 trees 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) and paragraph 170 of the National Planning Policy Framework (2021).

NOTES TO APPLICANT :-

1. 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.



Christopher Brown MRTPI
Planning Manager (Development Management)

Date : 26 August 2022

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review.
3. If you are aggrieved by the decision of the Local Planning Authority to grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that the permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 5th September 2003 must be made within six months of the date of this notice.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice>.
5. If permission to develop land is granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

- 1 The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
- 2 The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commence conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	22/00625/FUL
Proposal:	Erection of agricultural storage building
Site Location:	New Farm Hinckley Road Cadeby Nuneaton Leicestershire

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk

Delegated Report

Planning Ref: 22/00625/FUL

Applicant: Sarah Flamson

Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: New Farm Hinckley Road Cadeby



Hinckley & Bosworth
Borough Council

Proposal: Erection of agricultural storage building

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application seeks full planning permission for the erection of an agricultural building for Class Use B8 (storage and distribution) at New Farm, Hinckley Road, Cadeby. The proposed storage building has a footprint of 864sqm and measures 24m in width x 26m in depth. The roof of the agricultural building has a roof pitch of 15 degrees, and it has an eaves height of the proposal is 5.8m and a ridge height of 9.1m. The proposal utilises external cladding with Box Profile .5 PVC on 177-16 steel rails and natural grey fibre cement roofing tiles. The roof also incorporates 48 roof lights that are 3.5m in size.

3. Description of the site and surrounding area

- 3.1. The application site relates to the 70-acre New Farm Rural Industries site, which is an employment site that has been established since the early 1980s for the purpose of growing and wholesaling of Christmas Trees. Since this time, the tree production has risen steadily over the years to currently growing trees on 600 acres throughout the Midlands, planting around 150,000 trees per year. The site is south of and outside of the settlement boundary of Cadeby and is surrounded by open fields. The New Farm Rural Industrial site is bounded by the A447 to the west, Sutton Lane to the east and is accessed via a private drive to the south from Stapleton Lane.

4. Relevant planning history

21/00289/FGDO

- Extension to existing portal frame building
- General Development Order
- 19.05.2021

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 and a notice was displayed in the local press.
- 5.2 No responses have been received.

6. Consultation

- 6.1 Hinckley and Bosworth Borough Council's Environmental Services Pollution Officer and Leicestershire Highways Authority consulted on the application but did not object but did request a condition regarding parking. No other responses have been received as a result of consultation.

7. Policy

7.1 Core Strategy (2009)

- No relevant policies

7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM19: Existing 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)
- Highway Authority Design Guide

8. Appraisal

8.1. The building relates to forestry and to an existing enterprise with existing buildings. The key issues in respect of this application are therefore:

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon parking provision

Design and impact upon the character of the area

8.2 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features. The Borough strives to protect the intrinsic value, beauty, open character and landscape character of the countryside through Policy DM4.

8.3 In Policy 13 of the adopted Core Strategy, Cadeby is defined as a rural hamlet. Rural hamlets are not considered to be sustainable locations for anything but local needs development. Policy 17 (Rural Needs) states that small scale developments that meet a 'local need' can be permitted provided that the need cannot be met within the settlement boundary of the village. A local need is defined in Policy 17(ii) as people who have an existing, "Employment connection in the village, parish or local area which the development is intended to serve."

8.4 Although the site is not within the settlement boundary of Cadeby and is therefore in the countryside, the proposal is within an existing employment site. Moreover, as the site is an employment site in connection to the local area of Cadeby, the application is considered to be a local need in order to promote the success and the growth of the local business. This is supported by Paragraph 81 of the NPPF and Policy DM19 of the adopted SADMP that encourages proposals for the development of 'B' uses (including ancillary areas) within designated employment sites. Furthermore, Paragraph 13.8 of Policy DM4 argues that proposals that assist with the diversification of the rural economy without detriment to the environment. This policy is echoed in Paragraphs 84 and 85 of the NPPF.

- 8.5 The proposed built form complements and mirrors the existing buildings and integrates it into the character of the employment site. Due to the presence of these existing buildings on site and the retention of the existing vegetation and landscaping buffers surrounding the site, it is considered that the application does not have a significant adverse impact upon the surrounding area nor the intrinsic beauty of the countryside. By virtue of these factors, the application is in accordance with Paragraphs 84 and 85 of the NPPF, Policies 13 and 17 of the adopted Core Strategy as well as Policies DM4, DM10 and DM19 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.6 There are no neighbouring properties located in the immediate area of New Farm Rural Industries. The proposal is over 160m from the closest property on Sutton Lane to the northeast and 250m from the closest residential estate that is also accessed via Sutton Lane to the north. As a consequence of these factors and the fact that there have been no objections to the application, the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore is considered to be in accordance with Policy DM10 of the adopted SADMP and the adopted Good Design Guide.

Impact upon parking provision and highway safety

- 8.7 The proposal does not generate a significant increase in movement to the site and consequently does not have an adverse impact upon highway safety in accordance with Policy DM17 of the adopted SADMP. The site has adequate off-street parking for the employment site and is therefore considered to be in accordance with Policy DM18 and the adopted highway authority design guide. As such no condition regarding parking is required.

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, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this 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 proposed development is considered to be compliant with the relevant national and local policy as it:

- Is an appropriate scale and design
- Does not have an adverse impact upon the character and appearance of the area
- Does not have a significant adverse impact upon the amenity of neighbours
- Does not have a significant adverse impact upon highway safety
- Provides sufficient vehicle parking spaces for off-street parking

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

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 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. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Road Reference Plan (submitted: 15.07.2022)
- Block Plan (submitted 27.06.2022)
- Site Location Plan (submitted 27.06.2022)
- Proposed Agricultural Building Dwg No 22-16111 (submitted: 27.06.2022)

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. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the approved plans.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. During the construction period, none of the trees or hedges indicated to be retained shall be cut down, uprooted or destroyed, nor shall be topped or lopped other than in accordance with the approved plans, without the written approval of the Local Planning Authority. If any of the trees or hedges to be

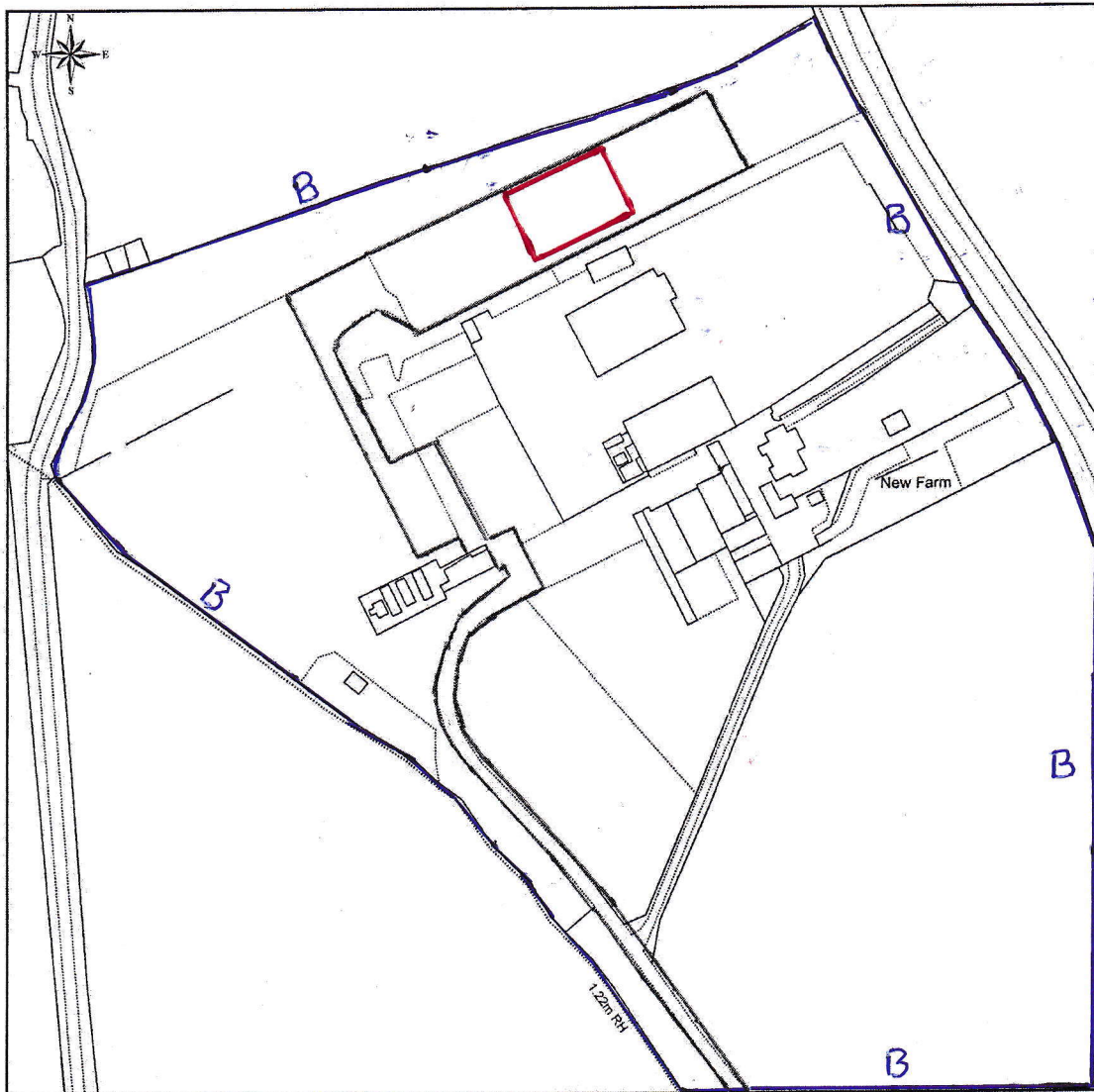
retained are removed, uprooted or destroyed or dies, a replacement shall be planted at the same place and that tree or hedge shall be of such size and species, and shall be planted at such time, as maybe specified in writing by the Local Planning Authority.

Reason: To ensure that the existing trees 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) and paragraph 170 of the National Planning Policy Framework (2021).

a. **Notes to applicant**

1. 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.

Site Location Plan



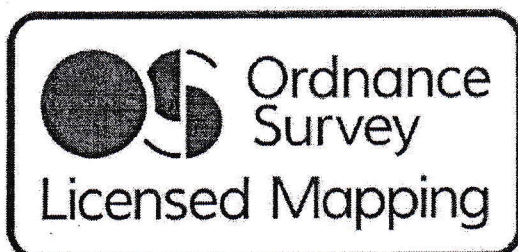
This Plan includes the following Licensed Data: OS MasterMap Black and White PDF Location Plan by the Ordnance Survey National Geographic Database and incorporating surveyed revision available at the date of production. Reproduction in whole or in part is prohibited without the prior permission of Ordnance Survey. The representation of a road, track or path is no evidence of a right of way. The representation of features, as lines is no evidence of a property boundary. © Crown copyright and database rights, 2022. Ordnance Survey 0100031673

0m 25m 50m 75m 100m 125m 150m 175m 200m

Scale: 1:2500, paper size: A4

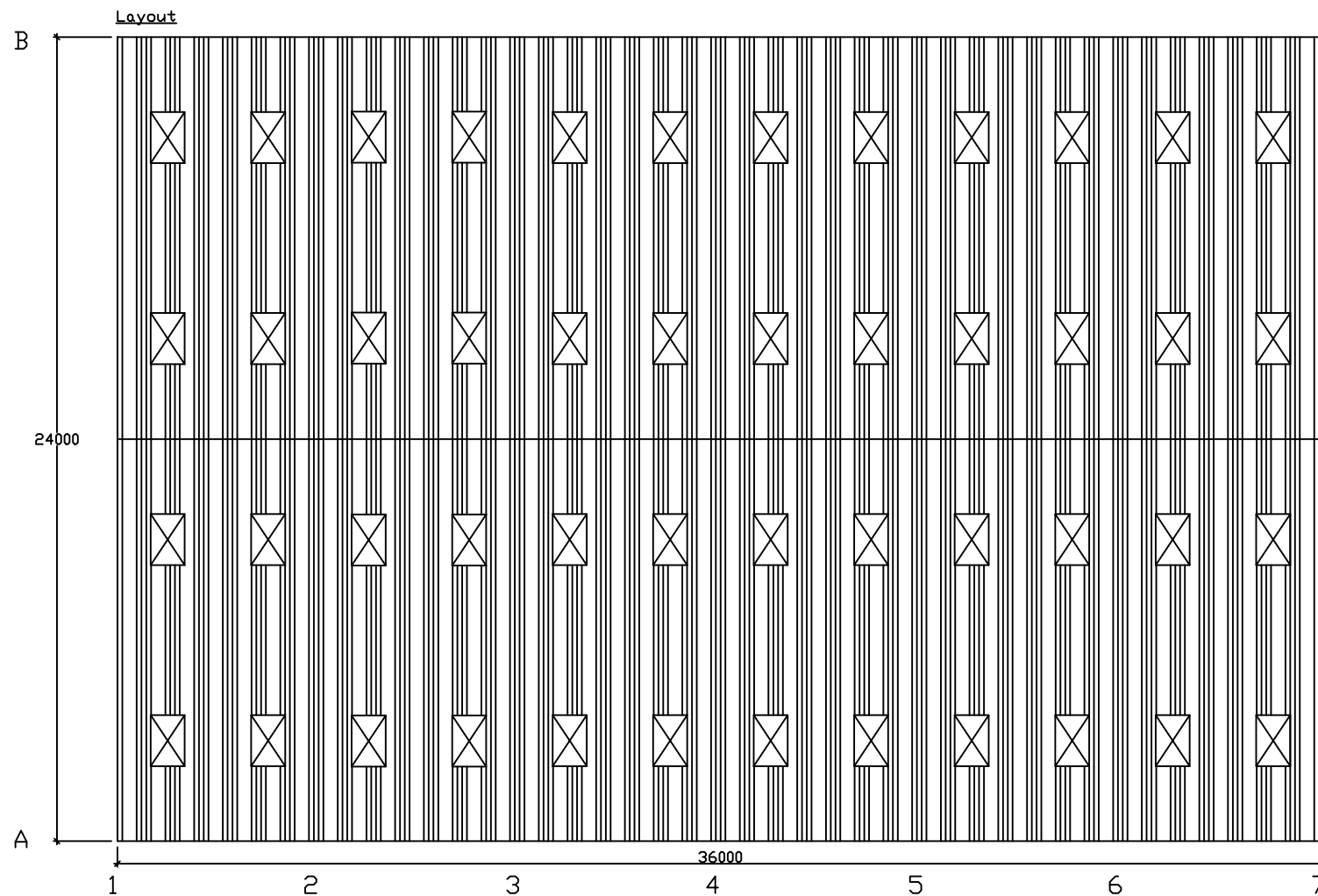
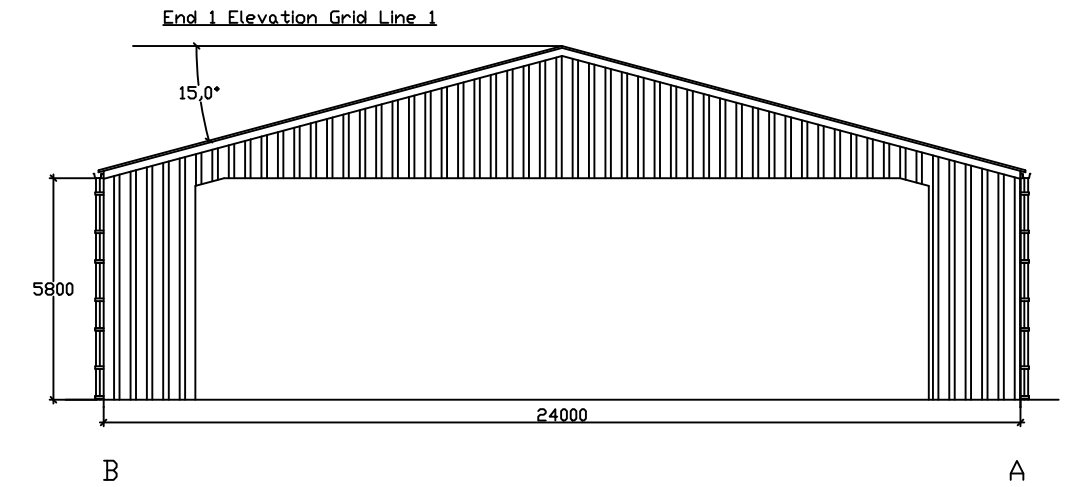
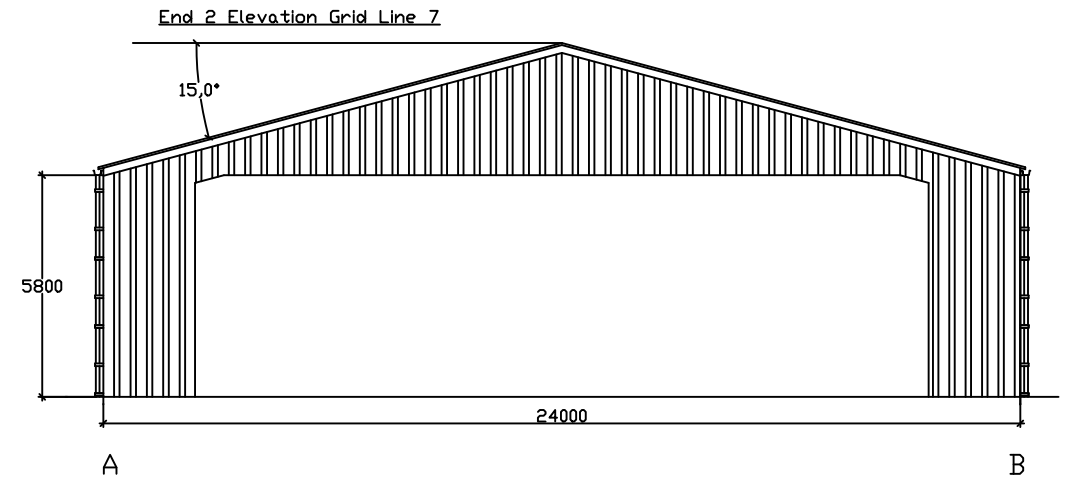
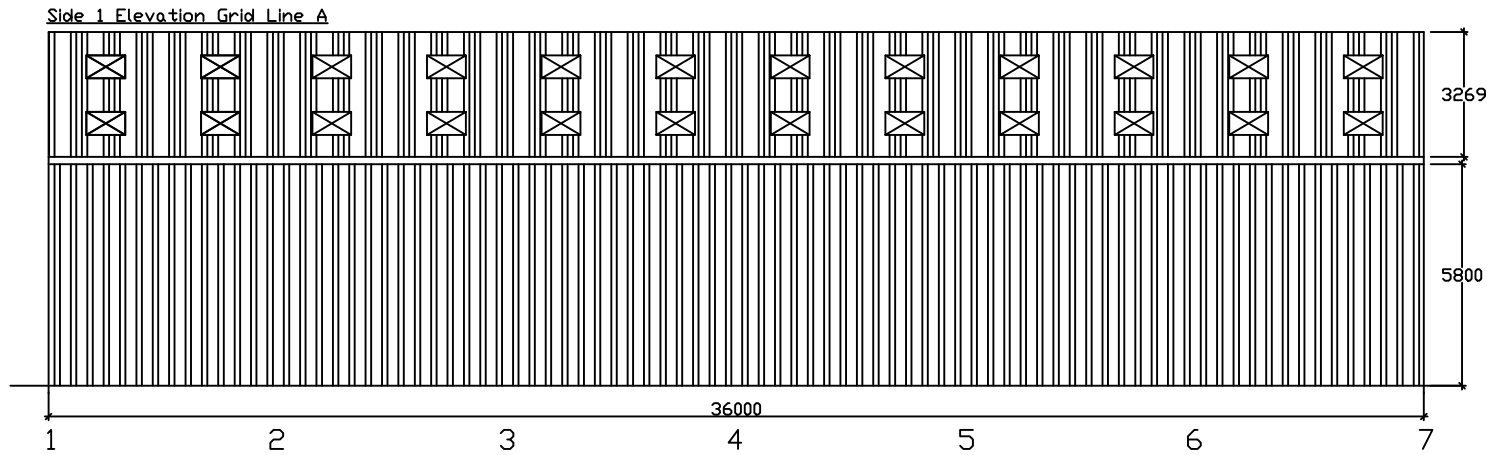
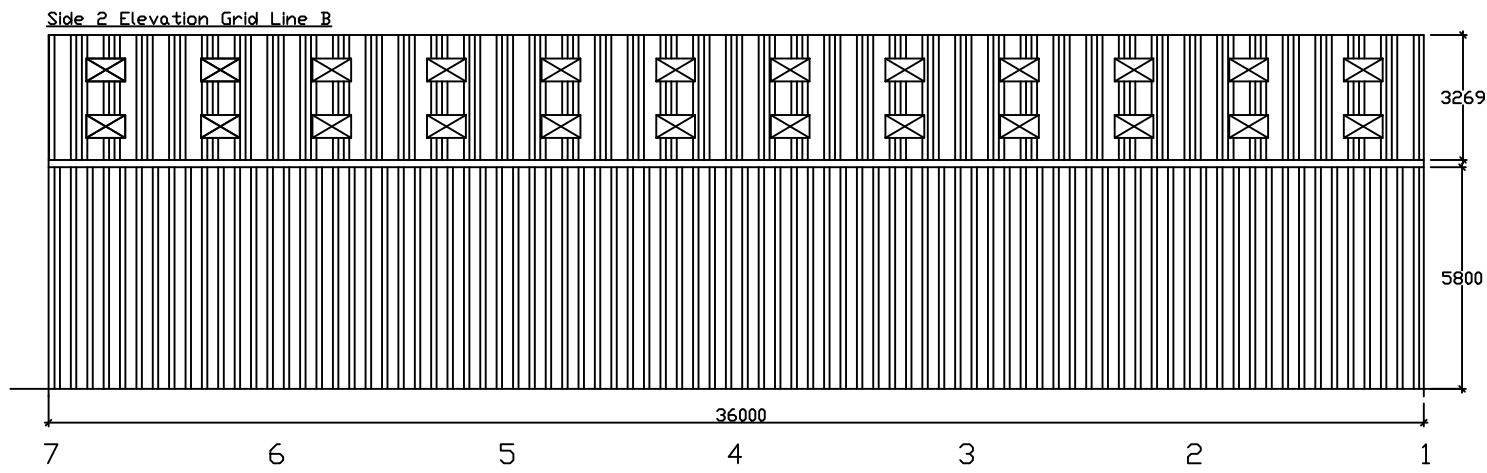
Cadeby Tree Trust.

New Farm, Hinckley Road, Cadeby, Nuneaton, CV13 0BD.



emapsite™
plans

Prepared by: Simon Cheshire, 15-06-2022



Specification

Length: 36m (118' 1") **Internal clear**
Width: 24m (78' 8")
Eaves Height: 5,800m (19' 0")
Roof Pitch: 15°
Bay Size: All bays are the same size at 6m, no bays to be reduced.

Steelwork (including web stiffeners and rafter stays)

To supply for erection on prepared site and concrete foundations, steel frame 6m (19') centres with UB 406 x 178 x 54 stanchions and UB 356 x 171 x 45 rafters. Roof bracing to one end. Side bracing and CHS eaves ties. To be 4 gable posts (UB 203 x 133 x 25).
Holding down bolts, templates, cones and washers included.
All steelwork to be Painted , other colours available.

Purlins

To supply 177 16 - Steel purlins bolted to frame at 1.375m. Eaves beams (Galvanised Steel).

Roof Cladding

To supply Natural Grey Fibre Cement laid in accordance with manufacturer's instructions. Ridge to be Closed Ridge.

Roof Lights

Incorporate 48 roof lights of size 3,048m, in roof cladding positioned to suit customer's requirements.

Rainwater Goods

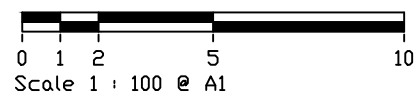
Building Side 1: Galvanised Steel Box with 2 x 110 Diameter down-pipes and rubber sealed joints.
Building Side 2: Galvanised Steel Box with 2 x 110 Diameter down-pipes and rubber sealed joints.

Cladding

Gable End 1: To be clad down 5.8 below eaves with Box Profile - .5 PVC on 177-16 steel rails.
Gable End 2: To be clad down 5.8 below eaves with Box Profile - .5 PVC on 177-16 steel rails.
Side 1: To be clad down 5.8 below eaves with Box Profile - .5 PVC on 177-16 steel rails.
Side 2: To be clad down 5.8 below eaves with Box Profile - .5 PVC on 177-16 steel rails.

Doorways

Door 1 is a 19.2m wide and 5.8m high Doorway located Gable End 1 - Centre.
Door 2 is a 19.2m wide and 5.8m high Doorway located Gable End 2 - Centre.



This Drawing is for Planning and Aesthetic purposes Only!
Sizes subject to change due to Structural Calculation
DO NOT INSTALL BASES TO THIS PLAN

CLIENT: Christian Bonshor ADDRESS: New Farm Nuneaton CV13 0BD			
PROPOSED:	Agricultural		
SIZE:	36.00m x 24.00m x 6.00m		
DRAWN BY:	Darren Wynne		
SCALE:	1/100	DWG NO:	22-16111
REV:		DATE:	10/05/2022
GRAHAM HEATH CONSTRUCTION Ltd THE CREAMERY WRENBURY INDUSTRIAL ESTATE STATION ROAD WRENBURY NR NANTWICH CHESHIRE, CV5 8EX TEL: 01270 781158 FAX: 01270 781165			

Design, Access & Planning Statement.

Erection of agricultural storage building associated with
Cadeby Tree Trust, New Farm Rural Industries,
Ashby Road, Cadeby, Nuneaton, CV13 0BD.

June 2022

Introduction

This statement is submitted in support of the erection of an agricultural storage building associated with Cadeby Tree Trust, New Farm Rural Industries, Ashby Road, Cadeby, Nuneaton, CV13 0BD.

This Statement has been prepared in accordance with the requirements of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004) and the provisions of the Town and Country Planning (General Development Procedure) (Amendment) Order 2010 and Town and Country Planning (Development Management Procedure) (Amendment) Order 2015.

In accordance with the National Planning Policy Guidance (NPPG), the level of detail presented in this statement is proportionate to the scale and complexity of the application. References were made to the relevant planning policies. These are predominantly the adopted and saved Local Plan policies as they take primacy in the determination of such an application where they are NPPF & NPPG compliant.

Relevant Planning Policy

National:

NPPF & NPPG

Local:

DM4, DM10, DM20, DM2.

The Ministerial Statement issued in July 2015 entitled “Fixing the Foundations: Creating a more prosperous Nation” emphasized the Government’s approach to enhancing the co-operation of all facets of UK society to boost economic growth and productivity. The statement notes:

“Productivity is the challenge of our time. It is what makes nations stronger, and families richer. Growth comes either from more employment, or higher productivity. We have been exceptionally successful in recent times in growing employment. We are proud of that. But now in the work we do across government we need to focus on world-beating productivity, to drive the next phase of our growth and raise living standards.

The drivers of productivity are well understood: a dynamic, open enterprising economy supported by long-term public and private investment in infrastructure, skills and science. A nation flourishes when it uses the full skills of all its people in all parts of that nation.”

The objectives the “Fixing the Foundations” statement identifies are fully reinforced by the NPPF (2021) where Section 2 sets out the principles that planning should achieve including the three dimensions to sustainable development that entail:

“an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;

a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and

an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.”

LP policy should follow the approach of the presumption in favour of sustainable development where such development should be approved without delay. On this basis the Government is committed to ensuring the planning system supports all sustainable economic growth and that the system should not act as an impediment to market signals. Investment in business should not be over-burdened by the combined requirements of planning policy expectations.

This ethos is also wholly reflected in the adopted SADMP where Policy DM4 seeks to protect the countryside against unsustainable development, however DM4 supports development specifically listed as sustainable where it “significantly contributes to economic growth, job creation and/or diversification of rural businesses”.

The New Farm Rural Industries site is a long established and allocated employment site and features in the HBBC Employment Land and Premises Review. The business has sold Christmas Trees since the early 1980's and growing and wholesaling since the mid 1990's when the 70 acre farm at Cadeby was originally planted. Since this time the tree production has risen steadily over the years to currently growing trees on 600 acres throughout the Midlands, planting around 150,000 trees per year made up of 45% Nordmann Fir, 25% Norway Spruce, 10% Fraser Fir, 55 Blue Spruce & 15% Pot Grown Trees in all four species.

On the expansion of such local businesses the 2020 Review states the below:

“10.60 It is difficult to make definitive comments on the split between strategic and local supply, given that historic evidence on strategic take up is based on the completion of a single multi-phase scheme. The picture will likely be different in a few years when the other strategic schemes of the Borough have recorded completions. However, the overall picture still shows that up to 80 percent of historic growth has been to meet local needs. This does suggest that the Borough's current supply is overly focused on the strategic with only 18.89 ha of realistically available local supply, at this time.

Recommendation 8 – Development in Rural Areas

11.33 In rural areas demand and need is more geared to the provision of conversion opportunities rather than allocating land. There are however some existing, established, successful industrial estates, and related locations, where providing expansion land is potentially a viable option, to meet both local needs and contribute to wider requirements as discussed above.”

In terms of supporting a prosperous and competitive economy, paragraph 81 of the Framework reflects NLP policy where:

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. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

In terms of the current proposal, it is in complete accordance with National and Local Policy objectives that are supportive of local employers consolidating and expanding their existing businesses as they respond to market signals and increasing demand for their products.

Local List Requirements

Due to the scale and nature of the proposal, the level of detail submitted with the application is considered proportionate. Schedule 4 of the DMPO details the statutory consultations required before the grant of permission. If during the determination period the statutory consultees request additional information and this is not provided by the applicant, the LPA could refuse the application for this reason. On this basis this section forms a notice under Article 12(1) (DMPO Amended July 2015) as the applicant considers the submitted information meets the requirements set out in article 34(6)(c) and any other information contained in the adopted Local List should be waived allowing the immediate validation of the application.

Principle of development and other material planning considerations

The principle of development is not up for consideration and the applicant has successfully developed the existing local business since the 1980s into the thriving enterprise it is today. The case of **DLA Delivery Ltd v SoS** highlights the critical need for consistency in decision making in terms of following previous decisions or to give clear reasons for reaching a different view.

When catering for the needs of successful local enterprises paragraph 82 of the Framework states:

Planning policies should:

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;*
- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and*
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.*

Notwithstanding paragraph 82 of the Framework above, the DMPO sets out that the content of a design and access statement must:

- (a) explain the design principles and concepts that have been applied to the development;
- (b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account;
- (c) explain the policy adopted as to access, and how policies relating to access in relevant local development documents have been taken into account;

(d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation; and

(e) explain how any specific issues which might affect access to the development have been addressed.

In terms of provision a) the proposed building is located in a long established and dedicated employment site successfully developed by the applicant. Turning to provision b), the proposed built form will compliment and mirror the exiting buildings on the site and the existing landscape buffer will be maintained and can be supplemented where appropriate. Notwithstanding the increase in proposed storage space, the kerbed radii and width of the existing access are considered sufficient to service the proposal in terms of onsite parking and manoeuvring required under current highway standards.

Therefore the justification produced in response to provisions a) to e) of the DMPO above are wholly in accordance with adopted and emerging policy. As such the proposed storage unit is designed to mirror the existing and adjacent units to maintain a continuity of design that will be readily integrated within the local context. The proposal is part of the continuing evolution of a locally based business where a key element is driven by market signals and customer demand. The current proposal will help meet the increasing current demand and ensure adequate stock levels can be stored on site all year round. This is critical to support the continuing organic growth of the business and to guard against any potential stock shortages in the future that will enable the proposal to continue to promote a strong local economy and provide increased job opportunities for local people, particularly in the uncertain economic climate and potential supply change issues.

Access Parking & Sustainability

The existing access will be retained and parking can be accommodated within the scheme to meet the necessary requirements associated with the proposed extensions and alterations. PPG13 and associated guidance is replaced by the NPPF that states:

“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.”

When considering the above, the modest amount of development and the percentage impacts of this traffic are considered minimal meaning the impact of the development will have effectively ‘nil detriment’ and will not therefore adversely affect the current road network capacity.

Conclusion & Justification

The Framework directs that such applications should be considered in the context of the presumption in favour of sustainable development. It is recognised by the Government and the LPA that the growth in the economy is a key element in achieving the spatial objectives of the Core Strategy and the country as a whole.

By contributing to the Council’s key policy objectives, the scheme represents an integrated and sustainable development that should be approved without delay.