

Delegated Report

Planning Reference	25/00830/OUT
Applicant(s)	Mr Richard Harrison and Mr Robert Finch
Ward	Earl Shilton
Application Site	Land west of Leicester Road, Earl Shilton
Proposal	Outline planning permission for the change of use of agricultural land to commercial uses (Use Classes B2, B8 and E) and the provision of 19 commercial units (All Matters Reserved)
Case Officer	Sullivan Archer (Senior Planning Officer)



Hincley & Bosworth
Borough Council

1. Recommendations

- 1.1. **Refuse outline planning permission** subject to planning reason detailed at the end of this report.

2. Planning Application Description

- 2.1. This planning application seeks outline planning permission for the change of use of agricultural land to commercial uses (Use Classes, B2, B8 and E) and the provision of 19 commercial units at land west of Leicester Road, Earl Shilton. Only the principle of the development is sought for approval within this outline planning application, and all other matters are reserved.
- 2.2. Following discussions with the Case Officer, the application was converted into an outline planning application with all matters reserved from a full planning application, and following concerns raised by National Gas, the capacity of the development was reduced from 26 to 19 commercial units.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the north of, but outside of the identified settlement boundary of, Earl Shilton in the designated open countryside. The application site consists of undeveloped fields and a burnt stable building that is in a severe state of disrepair. Public Footpath T92 runs north to the south through the application site.
- 3.2. Leicester Road bounds the eastern side of the site, which is an adopted and classified 'C' road, and beyond this public highway is a site containing several minor agricultural structures. Given the established and mature vegetation along Leicester Road, these adjacent structures have a very limited visibility from the public highway. Beyond this, the application site is surrounded by agricultural fields to the north, east, southwest, and west of the site.

- 3.3. Public Footpaths T72 and T94 run to the west of the site by approximately 88m and 388m respectively in a north-to-south direction. Public Bridleway T96 runs 388m to the west of the site in an east-to-west direction.
- 3.4. The site is identified within the Earl Shilton North and Barwell West Landscape Sensitivity Area and the Stoke Golding Rolling Farmland Landscape Character Area. The key characteristics of the Stoke Golding Rolling Farmland Landscape Character Area include, but are not limited to, undulating arable and pasture fields that are divided into small-to-medium scale rectilinear field patterns by low hedgerows and mature hedgerow trees. The rural character of the landscape, despite its proximity to urban areas, is identified as one of the key sensitivities of this Landscape Character Area.
- 3.5. The Earl Shilton North and Barwell West Landscape Sensitivity Area is considered to have a medium to high sensitivity to small scale Use Class B2 and E commercial developments, and high sensitivity to large scale Use Class B8 use commercial development, due to the rural and relatively tranquil character of the area and the great intervisibility with the wider countryside. The key sensitivities of this Landscape Sensitivity Area include, but are not limited to, the uninterrupted views over undulating farmland which contribute to the high scenic quality and attractive setting to Earl Shilton and Barwell.

4. Relevant Planning History

- 4.1 There is no relevant planning history within this application site that is applicable to the current development proposals.

5. Publicity

- 5.1 The application has been publicised by posting a site notice within the vicinity of the site.
- 5.2 Four members of the public made comments in support of the application. Two responses were also received from members of the public in objection to the development proposal for reasons including harm to the character of the area and the countryside, and highway safety concerns. No further responses have been received.

6. Consultation

- 6.1 No objections have been received from the Leicestershire County Council as the Local Minerals and Waste Planning Authority ('LMWPA') and the Health and Safety Executive ('HSE')'s Land Use Planning Advice Service did not advise against the granting of planning permission in these site-specific circumstances. No objections have also been received from the Council's Drainage, Environmental Health, and Waste Management Departments, nor Leicestershire County Council as the Local Highway Authority ('LHA') and the County Council's Ecology Department subject to planning conditions.

6.2 National Gas confirmed that the indicative Proposed Site Plan for 19 units would ensure that all development would be located outside of the 78m Building Proximity Distance ('BPD') for high-pressure gas pipeline FM04. Based on this indicative plan, National Gas had no objections to the scheme, but it was re-iterated that the originally proposed plans would not meet their safety requirements.

6.3 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 2: Development in Earl Shilton

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM20: Provision of Employment Sites

7.3 Leicestershire Minerals and Waste Local Plan ('LMWLP') (2019):

- Policy M11: Safeguarding of Mineral Resources

7.4 Earl Shilton and Barwell Area Action Plan ('ESBAAP') (2014):

- Policy 22: Development and Design

7.5 National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2024)
- Planning Practice Guidance ('PPG')
- National Design Guide ('NDG') (2019)

7.6 Other Relevant Guidance:

- Good Design Guide ('GDG') (2020)
- Landscape Character Assessment ('LCA') (2017)
- Landscape Sensitivity Assessment ('LSA') (2017)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The key issues in respect of this application are therefore:

- Principle of development
- Impact upon the character of the area
- Design and layout
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Planning balance

Principle of Development

- 8.2 Paragraph 2 of the National Planning Policy Framework ('NPPF') identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions, and, in accordance with Paragraph 3 of the NPPF, should be read as a whole.
- 8.3 Paragraph 11 of the NPPF confirms that planning decisions should apply a presumption in favour of sustainable development. However, 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.
- 8.4 The Applicant has referred to Policies EMP1 and EMP2 of the Local Plan. These policies formed part of the Hinckley Local Plan (2001) and have been replaced by the current Development Plan. Therefore, these policies would not be relevant within the determination of this application and would attract no weight in the planning balance.
- 8.5 The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document ('SADMP'), the adopted Leicestershire Minerals and Waste Local Plan ('LWMLP') and the adopted Earl Shilton and Barwell Area Action Plan ('ESBAAP').
- 8.6 In accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.
- 8.7 Policy DM20 of the SADMP confirms that the development of new employment sites for B1, B2 and B8 uses outside of allocated employment areas will be supported where they stand within settlement boundaries or on previously developed land.

- 8.8 The application site is outside of any existing employment areas, outside of any identified settlement boundaries in the countryside, and the site does not represent previously developed land. Therefore, the proposal would not be supported by Policy DM20 of the SADMP in principle.
- 8.9 Outside defined settlement boundaries, the countryside is not regarded as a sustainable location for new development. Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) of the NPPF specifically highlights that this should be achieved by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.
- 8.10 Chapter 11 of the NPPF promotes an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. This demonstrates that safeguarding and improving the environment is an effective use of land.
- 8.11 Policy DM4 of the SADMP, which states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. To ensure this, Policy DM4 of the SADMP only considers development in the countryside sustainable where:
- (a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - (b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - (c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - (d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - (e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.12 Therefore, the development proposal would not comply with any of the limitations set out above, and therefore the development would be considered to be contrary to, and in conflict with, Policy DM4 of the SADMP. However, this does not mean that the development would not be sustainable.
- 8.13 Importantly, Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in the report.

- 8.14 For example, Policy 2 of the adopted Core Strategy states that the Council will ensure there is a range of employment opportunities within Earl Shilton. However, the application site is not within the identified settlement boundaries of any Key Rural Centre, and the scheme would therefore not be supported by Policy 2 of the adopted Core Strategy in principle.
- 8.15 Notwithstanding this, Paragraph 85 of the NPPF highlights that planning 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.
- 8.16 Paragraph 88 of the NPPF also states that, planning decisions should enable:
- (a) The sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed beautiful new buildings; and
 - (b) The development and diversification of agricultural and other land-based rural businesses; and
 - (c) Sustainable rural tourism and leisure developments, which respect the character of the countryside; and
 - (d) The retention and development of accessible local services and community facilities such as local shops, meeting places, sports venues, open space, cultural buildings, public houses, and places of worship.
- 8.17 Paragraph 89 of the NPPF states that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport.
- 8.18 Policy DM20 of the SADMP confirms that the development of new employment sites for B1 (now E), B2, and B8 uses outside identified and on greenfield sites will only be found acceptable where it is demonstrated that there are no suitable alternative sites identified sequentially in the following locations:
- (a) Within settlement boundaries
 - (b) On previously development land
 - (c) Adjacent to existing employment areas
 - (d) Adjacent to settlement boundaries

- 8.19 The proposal is for 19 new commercial units for Use Class B2, B8, and E uses. To justify their development, the Applicant has submitted several emails that feature unemployment and claimant data, a sequential test for employment, justification for the proposed scheme.
- 8.20 Whilst the quantity of response from the Applicant is appreciated, the submitted justification does not include references to credible sources where the evidence has been collated from. For example, whilst one email from 18 December 2025 includes a list of references, this list of references includes social media and unpublished correspondence as sources for their conclusions.
- 8.21 As a result, it is not considered that the submitted details accurately or comprehensively demonstrates that there is a need for this form of development within this application site, and that there isn't any available land for commercial development within the surrounding area in or adjacent to identified settlement boundaries, on previously development, or land adjacent to existing employment areas to accommodate such needs.
- 8.22 Whilst the Applicants have referred to Appendix 1 of Campaign to Protect Rural England ('CPRE')'s 2014 Policy Guidance Note, which suggests that micro and small enterprises are prevalent in rural areas and help to foster economic growth, this document does not make reference to general industrial (Use Class B2) or storage and distribution uses (Use Class B8).
- 8.23 Importantly, this justification would not be considered to sufficiently demonstrate why 19 units for unidentified commercial and industrial uses are required beyond existing settlement boundaries in the designated open countryside in these site-specific circumstances to support economic growth and productivity or that there are no sequentially more preferable sites in the area. Ultimately, Paragraph 3 of the NPPF confirms that it should be read as a whole.
- 8.24 The submitted Planning Statement refers to recent development at Bracknell Farm. The Applicants have not identified where Bracknell Farm is located. However, based on the Council's records, it is assumed that the Applicants are referring to Bracknell Farm, Leicester Road, Thurlaston.
- 8.25 Firstly, it is noted that Bracknell Farm is not within the jurisdiction of Hinckley and Bosworth Borough Council and was assessed against different Development Plan policies. In addition, based on the information publicly available on Blaby District Council's website, Bracknell Farm does not benefit from any planning permissions in the last ten years for new commercial and industrial development. In light of the above, this comparative site would not be considered to attract any positive weight in the determination of this current planning application.
- 8.26 Given the above, the proposal would not be offered any support by Policies DM4 and DM20 of the SADMP or Policy 2 of the adopted Core Strategy. Therefore, the development would represent speculative commercial and industrial development in

the designated open countryside. This would be considered to cause significant harm to the rural character of the surrounding area in principle.

- 8.27 Whilst the NPPF highlights that planning decisions should help create the conditions in which businesses can invest, expand, and adapt, the Applicants have failed to identify any businesses associated with this development, nor demonstrate why 19 units for unidentified commercial and industrial uses would be required in this site in these specific circumstances to support economic growth and productivity. Nevertheless, the benefits of the scheme shall be weighed against the negative impacts of the development in the planning balance of this Report.
- 8.28 By virtue of these factors, the proposal is considered to be unacceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of this Report.

Design and Impact upon the Character of the Area

- 8.29 Paragraph 139 of the NPPF states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design (as contained in the National Design Guide and National Model Design Code), taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.30 Paragraph 129(d) and (e) of the NPPF states that planning decisions should support development that makes efficient use of land, taking into account the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and the importance of securing well-designed, attractive and healthy places respectively.
- 8.31 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 131 of the NPPF confirms that the creation of high-quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.32 Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.33 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.34 Guidance Point C1 of the National Design Guide (NDG) confirms that well-designed new development should respond positively to the features of the site itself and the

surrounding context beyond including the existing built development and landscape character, amongst others.

- 8.35 This is an outline planning application, and all matters are reserved, including layout and appearance, for later approval. Therefore, only the principle of the development, and its impact upon the character of the area is assessed at this stage.
- 8.2 As highlighted at Paragraph 8.26 of this Report, the proposal would represent speculative commercial and industrial development in the designated open countryside. This would be considered to cause significant harm to the rural character of the surrounding area in principle. The principle of 19 commercial and industrial units within this site would be considered to fundamentally and detrimentally erode the rural and relatively tranquil character of the site and the surrounding area and extend the built form of Earl Shilton further into the designated open countryside. The significant harm of the development would be considered to be exacerbated through the visual prominence of the application site from Leicester Road, Shilton Road, and Public Rights of Way T92, T72, T94, and T96.
- 8.3 In addition, based on the indicative Site Plan, 19 commercial units would be likely to have a cumulative floor space that exceeds 1,000 square metres and therefore the scheme would be considered to represent major development. This would be considered to result in significant harm to the Earl Shilton North and Barwell West Landscape Sensitivity Area, which has a high sensitivity to large scale commercial development. Ultimately, the provision of 19 commercial and industrial units within this 0.78-hectare undeveloped site in the designated open countryside would be considered to significantly overdevelop and urbanise the site to the significant and permanent detriment of the character of the surrounding area and the intrinsic value, beauty, open character, and landscape character of the designated countryside, including the Landscape Character Area and the Landscape Sensitivity Area.
- 8.4 Whilst it is appreciated that all matters are reserved within this current application, the significant adverse impact of this development on the character of the area can be seen within the indicative Site Plan, which suggests that the entire site would need to be almost entirely hard surfaced and developed to accommodate this level of proposed development. In addition, the submitted Biodiversity Net Gain Metric suggests that the development would be likely to result in the loss of almost 75% of the existing habitat on site demonstrating the change in character of the site.
- 8.5 By virtue of these factors, the development would represent speculative commercial and industrial development in the designated open countryside, and the proposed level of development would be considered to result in the significant overdevelopment of the site. The proposal would therefore be considered to result in significant and permanent adverse impacts on the character of the surrounding area and the intrinsic value, beauty, open character, and landscape character of the designated countryside, including the Earl Shilton North and Barwell West

Landscape Sensitivity Area and the Stoke Golding Rolling Farmland Landscape Character Area.

- 8.6 The significant harm of the development would be considered to be exacerbated through the area's sensitivity to commercial development, and the visual prominence of the application site from Leicester Road, Shilton Road, and Public Rights of Way T92, T72, T94, and T96. As a result, the scheme would not be considered to be well designed and would fail to reflect local design policies and government guidance on design as a matter of principle.
- 8.7 Given the above, the development would be considered to be contrary to, and in conflict with, Policies DM4 and DM10 of the SADMP, Chapters 11, 12, and 15 of the NPPF, including Paragraphs 129, 131, and 135, and the National Design Guide. In accordance with Paragraph 139 of the NPPF, it is considered that the development should be refused.

Impact upon Residential Amenity

- 8.8 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that 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 and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.9 There are no neighbouring residential properties immediately adjacent to the application site in any direction. The closest residential properties are approximately 160m to the south of the site at Swedish Cottage on the Unnamed Road, and the forthcoming residential developments on the east and west of Leicester Road to the south of the site, which are between 180 and 200m from the application site. Given the above, the development would not be considered to result in any loss of light or loss of privacy, or any overlooking or overbearing impacts to neighbouring residential amenity.
- 8.10 The application has been reviewed by the Council's Environmental Health Department who have no objection to the development subject to planning conditions that limit the operating hours of the site and secure an Environmental Statement for noise, dust, waste management, and storage of hazardous materials, and a Noise Management Plan.
- 8.11 It is therefore considered that the scheme, subject to the detailed matters to come forward at Reserved Matters stage, the proposal could be designed such to have a suitable relationship with the nearby residential units.
- 8.12 Ultimately, it is considered that the use of conditions, together with the Council's continued role in assessing detailed plans at Reserved Matters stage, ensures that sufficient scrutiny and control is retained to ensure all concerns are appropriately addressed in accordance with Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.13 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide ('LHDG')).
- 8.14 The details of the proposed access and layout of the development are reserved matters and not sought for approval at this stage. Indicatively, the proposed access to the site is via Leicester Road, which is an adopted and classified 'C' road that is subject to a 50mph speed limit. Public Footpath T92 also runs through the application. On this basis, it is considered that through the use of conditions, together with the Council's and the Leicestershire County Council as the Local Highway Authority's continued role in assessing detailed plans at the Reserved Matters stage ensures that sufficient scrutiny and control is retained to ensure all concerns are appropriately addressed.
- 8.15 In summary, the proposed access and layout of the development are not sought for approval at this stage, and therefore, subject to sufficient and suitable information being submitted by the Applicants to the Local Planning Authority at the Reserved Matters stage of the development, the proposal is not considered to create an unacceptable impact on highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP.

Planning Balance

- 8.16 To conclude, the National Planning Policy Framework ('NPPF') should be read as a whole, and planning decisions should apply a presumption in favour of sustainable development. However, 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.
- 8.17 The development would represent speculative commercial and industrial development in the designated open countryside, and the proposed level of development would be considered to result in the significant overdevelopment of the site. The proposal would therefore be considered to result in significant and permanent adverse impacts on the character of the surrounding area and the intrinsic value, beauty, open character, and landscape character of the designated countryside, including the Earl Shilton North and Barwell West Landscape Sensitivity Area and the Stoke Golding Rolling Farmland Landscape Character Area. The significant harm of the development would be considered to be exacerbated through the area's sensitivity to commercial development, and the

visual prominence of the application site from Leicester Road, Shilton Road, and Public Rights of Way T92, T72, T94, and T96.

- 8.18 As a result, the scheme would not be considered to be well designed and would fail to reflect local design policies and government guidance on design as a matter of principle. Given the above, the development would be considered to be contrary to, and in conflict with, Policies DM4 and DM10 of the SADMP, Chapters 11, 12, and 15 of the NPPF, including Paragraphs 129, 131, and 135, and the National Design Guide. In accordance with Paragraph 139 of the NPPF, it is considered that the development should be refused. This significant harm would be considered to attract significant negative weight in the planning balance.
- 8.19 In spite of this, it is acknowledged that there would be potential economic and social benefits from the scheme such as from providing new employment opportunities within the site, and the construction of the scheme. Given the scale of the development, this would be considered to attract moderate positive weight in the planning balance. No further planning benefits have been identified by the Applicant.
- 8.20 In conclusion, the significant and permanent harm of the proposed development would be considered to significantly and demonstrably outweigh the benefits associated with the provision of 19 commercial units within this site-specific location. As such, it is recommended that the proposal is refused.

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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that outline planning permission is refused.

11. Recommendation

- 11.1 **Refuse outline planning permission** subject to planning reasons detailed at the end of this report.

11.2 Reasons

1. The development would represent speculative commercial and industrial development in the designated open countryside. By virtue of the proposed size and capacity of the proposed development, the scheme would result in the significant overdevelopment of the site in principle. The proposal would therefore cause significant and permanent adverse impacts to the character of the surrounding area and the intrinsic value, beauty, open character, and landscape character of the designated countryside, including the Earl Shilton North and Barwell West Landscape Sensitivity Area and the Stoke Golding Rolling Farmland Landscape Character Area. The significant harm of the development would be exacerbated through the character of the area's high sensitivity to commercial development, and the visual prominence of the application site from Leicester Road, Shilton Road, and Public Rights of Way T92, T72, T94, and T96. As a result, the scheme would not be well designed and would fail to reflect local design policies and government guidance on design as a matter of principle.

Given the above, the development would be contrary to, and in conflict with, Policies DM4, DM10 and DM20 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Chapters 11, 12, and 15 of the National Planning Policy Framework (2024), including Paragraphs 129, 131, and 135, and the National Design Guide (2019). These significant adverse impacts would significantly and demonstrably outweigh the potential developments of the scheme in these site-specific circumstances. In accordance with Paragraph 139 of the National Planning Policy Framework, the development is refused.

a. **Notes to Applicant(s)**

1. The application has been determined in accordance with the following details, submitted to the Local Planning Authority:

- BNG Conditions Assessment (July 2025) (submitted: 03.12.2025)
- BNG Metric (2582) (submitted: 03.12.2025)
- Covering Letter to Application (submitted: 05.09.2025)
- Elevations (submitted: 09.09.2025)
- Landscape Strategy, Drg No. 25.1749.001 (submitted: 05.09.2025)
- Minerals Assessment (0401) (submitted: 27.10.2025)
- Planning Statement (submitted: 05.09.2025)
- Photo (submitted: 05.09.2025)
- Proposed Indicative Layout (submitted: 24.02.2026)
- Protected Species Survey (2852) (submitted: 03.12.2025)
- Site Location Plan (submitted: 09.09.2025)
- Additional emails and information submitted during the course of the application including the latest Revise Sequential Test email (submitted: 04.03.2026)