Delegated Report

Planning Ref: 26/00274/FUL
Applicant: Nicola Anstee
Ward: Hinckley Clarendon

Hinckley & Bosworth Borough Council

Site: Hinckley Sea Cadet Corps Wharf Yard Hinckley

Proposal: Two-storey extension and replacement of existing shipping containers with a new storage building and shower block.

1. Recommendations

1.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. The application seeks full planning permission for a two-storey extension and the replacement of the existing shipping containers with a new storage building and shower block at Hinckley Sea Cadet Corps, Wharf Yard, Hinckley.

2.2. The proposed storage building/shower block would be sited upon an area that currently houses the existing shipping containers. The section serving the admin/COSH store and changing rooms would measure 6.04 metres for a width of 10.31 metres and would feature a dual-pitched roof form with an eaves height of 2.36 metres and a ridge height of 4.46 metres. The external store would project to the north-west of the structure for 2.60 metres and a width of 4.76 metres. It again would have a hipped roof form with matching eaves and a ridge height of 4.04 metres, siting 0.42 metres below the buildings overall ridge height. The building would be finished in red brick to the walls, with metal sheeting to the roof. A small section of timber cladding would sit to the buildings south-eastern (side) elevation denoting the signage for the changing rooms, with accompanying personal doors to match the sea cadets blue, and a set of shutters. Four high level openings and a dual personal door would further sit to the buildings remaining elevations.

2.3. The proposed two-storey extension to the existing building would project outwards from the buildings existing south-eastern elevation by 15.29 metres for a width of 6.25 – 8.72 metres. It would have a dual-pitched roof form with an eaves height ranging from 5.14 – 5.37 metres and a ridge height ranging from 7.06 – 8.00 metres. The external walls would be finished in a mixture of red brick and timber cladding, with metal sheeting to the roof. In addition to the two-storey additions a single-storey mono-pitched structure would protrude to the north-east of the two-storey additions. The main fenestration additions include boat openings to the ground-floor of the north-eastern elevation alongside the addition of 'blocked up' boat openings to the ground-floor of the south-western elevation. Two openings and personal doors are proposed to the ground-floor of the elevations, and seven openings are proposed to the first-floor of the elevations. The extensions would serve a new boat store, classrooms, staff rooms, changing rooms, W.C.'s and an additional storage provision.

2.4. Additional external works to the existing structure include the re-painting of the existing blockwork to white, the addition of a small section of timber cladding to the buildings existing north-eastern elevation denoting the signage for the main entrance and the replacement of the existing front door and shutters to match the sea cadets blue. A number of additional high level openings and openings with accompanying shutters are further proposed to the remaining elevations.

2.5. During the course of the application amendments have been sought in respect to the proposals scale and design most which have been implemented by the applicant's agent. These include the reduction of the storage/shower block to a single-storey scale, and minor alterations to the external materials and the addition of architectural detailing.

3. Description of the site and surrounding area

3.2 The application site is situated within the settlement boundary of Hinckley to the north of the Ashby Canal, the site specifically adjoins the offside (non-towpath) bank of the canal. The canal is designated as both a Conservation Area and a Local Wildlife Site (LWS). The site is additionally identified as a designated community facility within the Community, Cultural and Tourism Facilities Review (2013) (Site Reference: HIN163).

3.3 The site can be accessed to the south of Coventry Road via a private access situated between The Wharf Inn and Port House and at present accommodates a pitched roofed grey brick built single-storey building, a flat roofed concrete boat shed and a number of shipping containers. The buildings accommodate classrooms, staff rooms, boat stores, showers/W.C's and storage rooms serving Hinckley Sea Cadets, an organisation which gives young people aged 10–18 the chance to learn new skills, build confidence, and experience nautical adventure from their base at Hinckley Wharf.

4. Relevant planning history

00/00688/FUL

- Extension
- Planning Permission
- 17.08.2000

05/00746/FUL

- Extension to sea cadet hall (renewal of application 00/00688/FUL)
- Planning Permission
- 29.09.2005

07/00571/GDOT

- Erection of two wooden poles with drop wires
- General Development Order
- 26.07.2007

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. Following the publications, no representations have been received.

6. Consultation

6.1. HBBC Aboricultural Officer:

- No objections, subject to replacement planting - The comments received from the Council's Aboricultural Officer have been incorporated into the body of this report.

6.2. HBBC Conservation Officer:

- No objections, subject to conditions - The comments received from the Council's Conservation Officer have been incorporated into the body of this report.

6.3. LCC Ecology:

- Holding objection - The comments received from County Ecology have been incorporated into the body of this report.

6.4. Canal and River Trust:

- No objections, subject to conditions - The comments received from the Canal and River Trust have been incorporated into the body of this report.

6.5. Inlands Waterway Association:

- No objections.

7. Policy

7.1. Core Strategy (CS) (2009)

- Policy 1: Development in Hinckley

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM25: Community Facilities

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2026)
- Planning Practice Guidance (PPG)
- National Design Guide (NDG) (2019)
- Listed Buildings and Conservation Areas Act (LBCA) (1990)

7.4. Other relevant guidance

- Good Design Guide (GDG) (2020)
- Community, Cultural and Tourism Facilities Review (2013)
- Leicestershire Highway Design Guide (LHDG) (2024)
- Ashby Canal Conservation Area Appraisal (2009)

8. Appraisal

8.1. Key Issues

- Principle of development
- Design and impact upon the character of the area and the Ashby Canal Conservation Area
- Impact of the construction works upon Ashby Canal
- Impact upon neighbouring residential amenity
- Impact upon highway safety and parking provision
- Impact upon ecology and biodiversity
- Impact upon trees

Principle of development

8.1 Paragraph 3 of the National Planning Policy Framework ('NPPF') confirms that the national decision-making policies within the Framework are a material consideration in making these decisions and should be read alongside the policies in the Development Plan. Planning decisions must also reflect relevant international obligations and statutory requirements. Paragraph 7 of the NPPF confirms that the national decision-making policies should be read as a whole.

8.2 Policy S3 (1) of the NPPF confirms that decisions on development proposals should apply a presumption in favour of sustainable development.

7.1. The current Development Plan consists of the adopted Core Strategy, and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the Core Strategy. This identifies and provides allocations for housing and other development in a hierarchy of settlements within the Borough.

8.3 In accordance with Annex A (2) of the NPPF, development plan policies (or parts of those policies) which are materially inconsistent with national decision-making policies in this Framework should be given very limited weight. The only exception to this is where they have been examined and adopted or made against this Framework. Other development plan policies should not be given reduced weight simply because they were adopted prior to the publication of this Framework. Therefore, this report sets out the relevant adopted Core Strategy, and SADMP polices and refers to the NPPF and notes any inconsistencies between them.

8.4 The proposal is situated within Hinckley's settlement boundary and therefore Policy S4 of the NPPF is triggered. Policy S4 of the NPPF seeks to ensure that development proposals within settlements should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the NPPF. This is further supported by Policy DM1 of the adopted SADMP and Policy 1 of the CS.

8.5 The application is identified as a community facility within the Community, Cultural and Tourism Facilities Review (2013) (Site Reference: HIN163).

8.6 Policy DM25 of the adopted SADMP seeks to resist the loss of community facilities including ancillary areas. The redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that:

a) An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community: or
b) There is a surplus of the facility type within the immediate locality exceeding the needs of the community; or
c) The loss of a small portion of the site would result in wider community benefits on the remainder of the site.

8.7 Policy HC4 of the NPPF requires substantial weight should to be given to the benefits where: New or improved public service infrastructure or community facilities would be provided; and Development proposals would make a demonstrable contribution towards promoting good health, preventing ill-health, reducing health inequalities or supporting social interaction in the local community (such as, but not limited to, the provision of new recreation facilities, meeting places and opportunities to grow or purchase healthier food).

8.8 This proposal whilst relating to the community facility, does not negatively impact any of the existing facilities on the site. The alterations are in fact considered to be a positive addition as they will improve the existing facilities and in turn the education provided by the Sea Cadet organisation. The proposal can therefore be considered

to be in accordance Policy DM25 of the adopted SADMP, and Policy S4 and HC4 of the NPPF.

Design and impact upon the character of the area and the Ashby Canal Conservation Area

8.9 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 establishes that in exercising any planning functions with respect to buildings or land within a conservation area, local authorities must give special attention to the desirability of preserving or enhancing the character or appearance of that area.

8.10 Chapter 20 of the NPPF provides the national policy on conserving and enhancing the historic environment. Policy HE9 of the NPPF seeks to ensure that proposals within or affecting the significance of conservation areas should:

a) Retain and conserve buildings and other features which make a positive contribution to the character or appearance of the conservation area where possible; and
b) Consider the area's special architectural or historic interest (as identified as part of the designation of the conservation area) in the design of development.

8.11 Policy DP3 (1) of the NPPF confirms that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets. This should not preclude innovation or change where appropriate, especially where an increased scale or density of development is justified in accordance with Policies L2 and L3 of the NPPF.

8.12 To create well-designed places, Policy DP3 (2(c) of the NPPF states that development proposals should also create visually attractive, distinctive and characterful development to establish or maintain a strong sense of place and pride, including through the use of a coherent palette of materials, design features and planting.

8.13 Policy DP3 (3) of the NPPF states that development proposals should be refused if, without clear justification, they conflict with NPPF Policy DP3(1) or relevant aspects of the principles in Policy DP3 (2) of the NPPF, or with any explicit design standards set out in the development plan (including those in locally specific policies, guides, codes or masterplans). Substantial weight should be given to compliance with relevant development plan policies when assessing the design quality of proposals

8.14 Policy DP3 (4) of the NPPF highlights that the principles set out in the Design and Placemaking Planning Practice Guidance should be used to inform how this policy is applied in the absence of locally produced design policies, guides, codes or masterplans.

8.15 Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally.

8.16 Policies DM11 and DM12 of the adopted SADMP seek to protect and enhance the historic environment and heritage assets. Development proposals should ensure the significance of a conservation area is preserved and enhanced through the consideration and inclusion of important features.

8.17 Whilst the canal generally has a rural character along its length, over time there has clearly been some urbanisation to its edges due to the erection of built form as it passes through Hinckley. The existing sea cadet buildings are of a poor-quality appearance (and would ideally be improved), but they are of a relatively low scale, and due to this there are longer distance views over the site, taking in the lake, houses further on, and in some cases even the spire of St. Mary's Church, from positions along the canal towpath and on Nutts Lane Bridge.

8.18 The proposed extension to the existing building would be of a modest scale, with the materials proposed reflecting those of the wider area, being a red brick for the bottom section and timber cladding for the upper sections of the elevations, the latter of which respects the semi-rural character of the site. The glazed fenestration additions would be restricted to a minimum with boat openings being proposed to the ground-floor of the north-eastern elevation alongside the addition of 'blocked up' boat openings to the ground-floor of the south-western elevation which adds architectural interest to an otherwise blank elevation. The extension is therefore considered to be a sympathetic, subordinate addition to the existing building subject to the submission of details and samples of the construction materials prior to the construction. The applicant should note that a natural timber cladding material is expected.

8.19 The application originally sought consent for the construction of a two-storey storage and shower block upon the existing shipping containers. This has since been reduced to be of a single-storey scale to ensure that it has a scale that reflects that of the wider site rather than being incongruous addition. It also has red brick elevations with limited fenestration, providing it with a simple but appropriate appearance. Due to the modest scale and siting of the development clustered around existing built form the longer distance views over the site from the canal towpath would not be materially affected.

8.20 By virtue of the above, the proposal will therefore result in a neutral impact upon the character and appearance of the area and the Ashby Canal Conservation Area and thus its heritage significance would be preserved. Consequently, subject to conditions the proposal will comply with Policies DM10, DM11 and DM12 of the adopted SADMP, Policies HE9 and DP3 and Chapter 20 of the NPPF and Section 72 of the LBCA.

<u>Impact of the construction works upon Ashby Canal</u>

8.21 Policy P2(1) of the NPPF states that sites proposed for development should be suitable for their proposed use taking into account:

a) Ground conditions, including any risks arising from land instability or contamination (whether due to natural hazards or current and former activities such as mining or fuel storage); and

b) The extent to which any such risks can be mitigated, and the potential impacts on the natural environment arising from remediation.

8.22 Policy P2 (4) states that where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner.

8.23 The proposed development will involve construction operations (including excavations for foundations) in proximity to the canal bank which could affect the physical structure of the canal. Whilst the new building and the extension to the existing building should not in themselves impose any significant additional load on the adjacent canal bank once completed, the method of construction, including the operation of any plant and machinery near to the canal edge could present a risk to

the stability of the canal structure. Canals are not water-tight and retain their water through a combination of waterway wall construction, clay lining and earth pressure. Construction operations and excavation of the ground in the vicinity of a canal can lead to the creation of leakage pathways not previously present, and in extreme cases can cause instability that leads to a breach of the canal and flooding of adjacent land.

8.24 In light of the above, subject to a Construction Environment Management Plan (CEMP) and construction method statement for works close to the canal being secured via a planning condition to ensure that the development can be undertaken without creating instability likely to affect the structural integrity of the adjacent canal the Canal and River Trust consider the proposal to be in accordance with Policy P2 of the NPPF.

Impact upon neighbouring residential amenity

8.25 Policy P3 (1) of the NPPF states that development proposals should be appropriate for their location, taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, whether these effects are on or off-site; and whether this is as a result of the development itself or the product of preexisting conditions in its vicinity. In assessing the potential effects of pollution, consideration should be given to the potential sensitivity of the site, and its intended occupiers and users, as well as that of the environment and population in the surrounding area (including where certain groups could be particularly vulnerable to its effects, such as children and older people).

8.3 In accordance with Policy P3(2)(a) and (b) of the NPPF, development proposals should therefore:

(a) Provide healthy living conditions for occupiers and users in terms of adequate access to light and avoiding exposure to levels of air, noise, artificial light or other sources of pollution which could have an unacceptable adverse effect on health and the quality of life. Where necessary suitable mitigation measures should be incorporated to secure acceptable living conditions;

(b) Not give rise to, or contribute to, an unacceptable level of access to daylight and sunlight for neighbouring residents and occupiers, or unacceptable levels of air, noise, artificial light, water, soil or other forms of pollution on or beyond the site. Adverse impacts of this nature should be avoided where possible, or else mitigated to an acceptable degree. Where possible, opportunities should be taken to reduce pollution affecting the wider area (such as through traffic and travel management or improved external lighting);

8.26 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the 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.

8.27 The nearest residential dwelling would be situated in excess of 35.00 metres from the proposed development whilst being situated on elevated land levels and subject to vast screening from the highway boundaries. As such the proposed development would not result in the loss of light, loss of privacy or overlooking in compliance with Policy DM10 of the adopted SADMP and Policy P3 of the NPPF.

Impact upon highway safety and parking provision

8.28 Section 15 of the NPPF promotes sustainable transport. Policy TR2 of the NPFF states that development should be located where it can support sustainable patterns of movement, enable good accessibility for different users and make the most of existing and proposed transport infrastructure, development proposals

should reflect the following principles, taking into account the vision for the site, the type of development and its location:

8.29 Ultimately, development should on be prevented or refused on highways grounds if they would have a severe adverse impact on the transport network (in terms of capacity and congestion, including cumulative impacts), or an unacceptable impact on highway safety; taking into account any mitigation measures proposed as well as any wider network improvements, including measures to support sustainable patterns of movement in accordance with Policy TR6 (4) of the NPPF.

8.30 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.

8.31 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) (2024).

8.32 The existing access is to remain unchanged with sufficient off-street parking provision remaining at site. The site is additionally situated within a sustainable area with access to sustainable transport routes. As such whilst formal consultation with the Local Highway Authority has not been undertaken, the Local Planning Authority (LPA) consider there to be no material impact on the public highway satisfying Policies DM17 and DM18 of the adopted SADMP, the LHDG, and Policies TR2 and TR6 of the NPPF.

Impact upon ecology and biodiversity

8.33 Policy N2(1)(c) of the NPPF states that development proposals should take suitable opportunities to connect to and strengthen ecological networks that extend beyond the site, drawing on the measures proposed by Local Nature Recovery Strategies, National Forest Strategies and Community Forest Plans, where present, and other relevant assessments.

8.34 Policy N2(1)(f) of the NPPF requires development to minimise any adverse impacts on biodiversity and include features which support priority or threatened species such as swifts, bats and hedgehogs. Development proposals should incorporate integrated nest boxes (commonly known as swift bricks) into their construction unless there are compelling technical reasons which prevent their use, or would make them ineffective,

8.35 Policy N2(2) of the NPPF confirms that if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then the development should be refused.

8.36 Policy DM6 of the adopted SADMP states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

e) The need and benefits of the development in that location clearly

f) It has been adequately demonstrated that the irreplaceable habitat

g) Appropriate compensation measures are provided on site wherever possible and off site where this is not feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

8.37 The application site is situated within an area which has numerous recent records of water voles. The proposed works will take place within 7.00 metres of the bank on the canal side and 5.00 metres of the bank of the sailing centre. Construction has the potential to encroach within 5.00 metres of these water bodies therefore a water vole survey was requested by County Ecology alongside mitigation to ensure water voles are not harmed during construction.

8.38 A 'Preliminary Ecological Appraisal, Bat Emergence Surveys & Water Vole Surveys' was submitted to the LPA on the 28th October. County Ecology have confirmed that these surveys are satisfactory and would ensure the protection of the water voles and their habitat.

8.39 Despite the above, County consider that the minimis exemption would no longer apply following the removal of a tree and therefore consider that mandatory BNG will be required. Whilst the LPA acknowledge the request from County, on review it is not considered that the development as a whole would account for mandatory BNG to be triggered.

8.40 By virtue of the above, the development would accord with Policy DM6 of the adopted SADMP and Policy N2 of the NPPF, subject to the requested Construction Environment Management Plan (CEMP) condition being imposed.

Impact upon trees

8.41 Policy N2 of the NPPF requires development proposals to conserve and enhance existing natural features of visual, historic or nature conservation value (such as established trees and hedgerows) where possible; and use appropriate landscaping to help create a well-designed place and integrate the development into its surroundings.

8.42 As part of the proposed development a tree is to be removed at the site. Whilst this is regrettable it is as a result of design improvements to the ancillary building. Furthermore, the Council's Aboricultural Officer has confirmed that the tree holds a low amenity value as such subject to replacement planting, would have no objection to its removal.

8.43 The proposed location of the replacement tree has been identified on the submitted Proposed Site Plan, Drg No. 25/115 04e and is deemed acceptable. Despite this a condition is considered reasonable and necessary to be imposed requiring details of the species and size of the tree to be provided to the Council within 1 month of the removal of the existing tree.

8.44 Overall, subject to conditions the proposal would comply with Policy N2 of the NPPF.

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

10. Conclusion

10.1 It is considered that the proposed development would be in accordance with Policies DM6, DM10, DM11, DM12, DM17, DM18 and DM25 of the adopted SADMP, Chapter 20 and Policies S4, HC4, DP3, HE9, P2, P3, TR2, TR6, N1 and N2 of the NPPF and Section 72 of the LBCA, the LHDG and the Core Strategy. The proposal is therefore recommended approval subject to the below conditions and informatives.

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, as follows:

   - Existing Site Location Plan, Drg No. 25/115 02a as received by the Local Planning Authority on the 20th March 2026.
   - Proposed Extension, Drg No. 25/115 05d;
   - Proposed External Store and Showers, Drg No. 25/115 06c as received by the Local Planning Authority on the 26th August 2026.
   - Proposed Site Plan, Drg No. 25/115 04e as received by the Local Planning Authority on the 22nd September 2026.
   - Preliminary Ecological Appraisal, Bat Emergence Surveys & Water Vole Surveys as received by the Local Planning Authority on the 28th October 2026.

   Reason: To ensure a satisfactory form of development in accordance with Policies DM6, DM10, DM11, DM12, DM17, DM18 and DM25 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), Chapter 20 and Policies HE9, HC4, DP3, HE9, P3, TR2, TR6, N1 and N2 of the National Planning Policy Framework (2026) and Section 72 of the Listed Buildings and Conservation Areas Act (1990).

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the building and extension hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

   Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Chapter 20 and Policies HE9 and DP3 of the National Planning Policy Framework (2026) and Section 72 of the Listed Buildings and Conservation Areas Act (1990).

4. No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity and contamination been submitted to and approved in writing by the LPA. The CEMP shall include the following details:

   A. Identification of potentially damaging construction activities
   B. practical measures and sensitive working practices to avoid or reduce impacts during construction on Water vole, Otters, Ashby Canal and Wharf Pit 3
   C. timing of works to avoid harm to nesting birds
   D. responsible persons for overseeing sensitive works
   E. use of protective fencing where required
   F. measures to minimise the risk of dust, debris and silty or otherwise contaminated runoff entering the Ashby Canal adjacent to the southern site boundary during construction operations

   The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.

   Reason: In order to ensure that protected species and areas of ecological value are not harmed by the development and to minimise the risk of contaminants, debris or other material entering the Ashby Canal during construction operations and adversely affecting water quality or wildlife supported by the canal.

5. No development shall take place until a construction method statement for both the new building and the extension to the existing building hereby permitted has first been submitted to and approved in writing by the Local Planning Authority. The statement shall include details of all foundation designs and construction methods together with details of any other proposed earthmoving or excavation works required in connection with the development and shall identify and incorporate any measures necessary to minimise the risk of adversely affecting the stability of the adjacent Ashby Canal bank (such as vibration monitoring if a piled foundation solution is proposed or the establishment of stand-off distances from the canal bank for operating plant or machinery or for storing materials). The development shall thereafter only be carried out in accordance with the approved details.

   Reason: In the interests of avoiding the risk of creating land instability arising from any adverse impacts from construction, earthmoving, excavations or other associated operations which could adversely affect the stability of the Ashby

Canal bank in accordance with Policy P2 of the National Planning Policy Framework (2026).

6. No external lighting shall be installed on the site until details (including luminance levels and measures to minimise light spillage) have been submitted to and approved in writing by the Local Planning Authority. External lighting shall only be installed in accordance with the approved details and shall not be replaced with any alternative lighting without the prior permission in writing of the Local Planning Authority.

   Reason: To ensure that protected species are not harmed by the development and in accordance with Policy DM6 of the Site Allocations and Development Management Policies (2016) and Policy N1 of the National Planning Policy Framework (2026).

7. Within one month of the removal of the tree; details of the species and size of the replacement tree identified on the submitted Proposed Site Plan, Drg No. 25/115 04e shall be submitted to and approved in writing by the Local Planning Authority. The replacement tree shall be planted in accordance with the approved details in the next available planting season (October to March).

   Reason: To ensure that replacement trees are planted on site in the interests of protecting the amenity of the area, and the Ashby Canal Conservation Area in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Policies Development Plan Document (2016), and Chapter 20 and Policies DP3, HE9 and N2 of the National Planning Policy Framework (2026) and Section 72 of the Listed Buildings and Conservation Areas Act (1990).

11.3 **Notes to applicant**

a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.

b) All UK Bat Species are protected by law: Schedule 2 of The Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981 (WCA) (as amended) through inclusion in Schedule 5 and Countryside and Rights of Way Act 2000 (CRoW) which makes it an offence Intentionally or recklessly/deliberately injure, take or kill a bat. Therefore, all work must be carried out carefully with the expectation that bats may be found. If bats are observed within the building at any time work must cease immediately and Natural England or the assigned ecologist for this project must be contacted for advice.