



PLANNING STATEMENT

Site: Sheepy House Farm, Main Road, Sheepy Magna

Proposal: Retrospective application for mixed B2/B8 use including HGV storage, vehicle servicing and repair, and extension to hardstanding

Client: Mr and Mrs Garland

Prepared by: LB Planning

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1. INTRODUCTION

- 1.1. On behalf of Mr and Mrs Garland, ('the Applicants'), LB Planning confirms the submission of a retrospective planning application for the use of land and buildings at Sheepy House Farm, Main Road, Sheepy Magna, for a mixed B2 (General Industrial) and B8 (Storage and Distribution) use. The proposal comprises the use of part of the site as a logistics yard for the storage of Heavy Goods Vehicles (HGVs), together with the use of an existing agricultural building for the servicing, maintenance and repair of HGVs.
- 1.2. In addition, the application seeks to regularise the extension to the area of hardstanding within the site, which has been undertaken to support the operational requirements of the use, including the safe manoeuvring, circulation and parking of HGVs.
- 1.3. The application has been submitted following engagement with the Local Planning Authority in respect of the existing unauthorised use. The purpose of the submission is therefore to regularise the ongoing operations at the site, supported by a robust technical evidence base, including the accompanying Transport Statement.
- 1.4. It is important to emphasise that the proposal reflects the evolution and diversification of an established agricultural holding and its buildings. The planning assessment must therefore focus on whether the use, as it exists and as proposed to be controlled, is acceptable in planning terms.

2. SITE AND SURROUNDING AREA

- 2.1. The application site forms part of Sheepy House Farm and is located within the open countryside to the south of Sheepy Magna. The site comprises agricultural land and existing farm buildings set within a predominantly flat and low-lying landscape characteristic of the Sence Lowlands.
- 2.2. The site lies outside any defined settlement boundary and is therefore subject to countryside policies. However, it forms part of an established rural holding, with existing buildings, access arrangements and areas of hardstanding already present. The surrounding area is characterised by agricultural land, farmsteads and sporadic residential development.

- 2.3. Access to the site is taken via an existing track connecting to Main Road (B4114), which provides access to the wider highway network. The Transport Statement confirms that Main Road is approximately 6m in width and subject to a 40mph speed limit, representing a typical rural distributor route capable of accommodating commercial traffic.
- 2.4. In this context, the site is not isolated in functional terms and is capable of supporting a diversified rural use, subject to appropriate controls.

3. PLANNING HISTORY AND BACKGROUND

- 3.1. The application site forms part of an established agricultural holding at Sheepy House Farm and has historically functioned as a working farmstead. The site benefits from a lawful planning history, including permissions granted in 2001 and 2002 for the erection of agricultural buildings, which remain in situ and continue to define both the built form and operational character of the site.
- 3.2. These buildings, together with the associated yard areas, have established a clear pattern of activity typical of a rural working environment. The site is therefore not an undeveloped or sensitive greenfield location, but rather a functional farmstead where movement, storage and operational activity have long formed part of its character.
- 3.3. As is frequently the case with rural enterprises, the use of the site has evolved over time in response to changing economic conditions. In recent years, this has included the diversification of the holding to incorporate the storage, maintenance and repair of HGVs. Such diversification reflects a well-established and recognised trend within rural areas, where traditional agricultural operations alone are often insufficient to sustain viable businesses. National planning policy explicitly supports this form of rural economic adaptation.
- 3.4. It is acknowledged that elements of the current use, including the use of the yard for HGV storage, the servicing and repair activities within the building, and the extension of the hardstanding, have taken place without the benefit of express planning permission and have resulted in enforcement engagement.
- 3.5. However, it is a fundamental principle of the planning system that retrospective applications must be assessed on their planning merits, rather than on the basis of

how or when the development has occurred. The existence of enforcement proceedings does not alter the policy context, nor does it diminish the requirement for the Local Planning Authority to determine the application in accordance with the Development Plan unless material considerations indicate otherwise.

- 3.6. In this respect, the current application provides a comprehensive and evidence-based assessment of the development as it exists in practice. It is supported by detailed technical analysis, including the accompanying Transport Statement, and introduces a range of proportionate mitigation measures and operational controls.
- 3.7. The proposal therefore presents a clear opportunity for the Local Planning Authority to move from an unregulated situation to one where the use is properly understood, assessed and controlled through the planning system. This is a material benefit which should be afforded appropriate weight.
- 3.8. It is also important to recognise that the use is already established on the site and that the assessment of impact should relate to evidence, rather than assumptions. The evidence submitted demonstrates that the scale and nature of the activity are more limited and managed than might otherwise be perceived.
- 3.9. Accordingly, the application should be viewed as a constructive and policy-aligned response to the current situation, enabling the regularisation of an established rural business within a clear and enforceable planning framework.

4. THE PROPOSED DEVELOPMENT

- 4.1. The proposal comprises the use of the site for a mixed B2 and B8 use, including the storage of HGVs within the yard area and the servicing, maintenance and repair of those vehicles within the existing building. The building therefore operates as a workshop facility, supporting both the on-site fleet and a limited number of external vehicles.
- 4.2. The servicing and repair activities undertaken within the building form an integral part of the overall operation. These activities include routine maintenance, inspections and repair works typical of a transport-based business. Whilst the primary function of the workshop is to support the fleet based at the site, it also accommodates a small number of HGVs from external operators for servicing and

repair. This additional activity remains limited in scale and does not materially alter the overall intensity of the use.

- 4.3. The application also seeks to regularise the extension to the area of hardstanding, which has been implemented to facilitate the safe and effective operation of the site. The hardstanding enables HGVs to enter, exit and manoeuvre within the yard in a controlled manner, as well as providing appropriate space for parking and circulation. Given the size and turning requirements of HGVs, this hardstanding is essential to ensure that the site can operate safely and efficiently, without causing obstruction or conflict within the access or internal layout.
- 4.4. The yard has capacity for approximately 25 HGVs, however in practice, the site does not operate at full capacity, and the level of activity is significantly lower. Around 10 vehicles are not actively used on a day-to-day basis, whilst a further 10 vehicles typically operate on longer-haul routes, departing at the beginning of the week and returning towards the end. As such, the number of vehicles present and active on site at any one time is significantly reduced.
- 4.5. The remaining vehicles operate on a more regular basis, with some departures occurring in the early morning, typically from around 04:30. This reflects the operational requirements of the logistics sector, where early departures are often necessary to meet delivery schedules and maximise efficiency. This pattern of operation is a fundamental characteristic of the business.
- 4.6. Activity levels vary throughout the week and across the fleet, with a substantial proportion of vehicles either stationary or absent from the site for extended periods. The limited number of external vehicles attending for servicing further reinforces the workshop function without materially increasing the overall level of activity.

5. PLANNING POLICY

Introduction

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan unless material considerations indicate otherwise.

- 5.2. In this instance, the Development Plan comprises the Hinckley and Bosworth Local Plan and the Sheepy Parish Neighbourhood Plan. In addition, the National Planning Policy Framework (NPPF) is a key material consideration and sets out the Government's overarching planning policies for England.
- 5.3. The following section identifies and assesses the policies most relevant to the determination of this application.

National Planning Policy Framework (NPPF)

- 5.4. The NPPF establishes a presumption in favour of sustainable development and requires that planning decisions support economic growth, social well-being and environmental protection in a balanced way.
- 5.5. In rural areas, the Framework recognises that flexibility is required to support the long-term sustainability of communities and businesses. It places particular emphasis on supporting rural economic activity and enabling the reuse of existing land and buildings.

Economic Role of Sustainable Development

- 5.6. The NPPF confirms that significant weight should be placed on supporting economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 5.7. The proposal directly contributes to the economic role of sustainable development by supporting an established rural business, facilitating logistics operations and enabling the continued use and maintenance of a vehicle fleet. The logistics sector is a critical component of the wider economy and requires operational flexibility, including early start times.
- 5.8. The development therefore delivers clear economic benefits, which should be afforded substantial weight in the planning balance.

Rural Economic Growth and Diversification (Paragraph 90)

- 5.9. Paragraph 90 of the NPPF confirms that planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, including

through the diversification of agricultural enterprises and the reuse of existing buildings.

- 5.10. The proposal aligns directly with this objective. It represents the diversification of an established agricultural holding, utilising existing buildings and land to support a viable rural business. The reuse and adaptation of an existing rural site is inherently more sustainable than the development of new sites elsewhere and is a key consideration weighing in favour of the proposal.

Promoting Sustainable Transport (Paragraphs 109-117)

- 5.11. The NPPF requires that development proposals ensure safe and suitable access and appropriately address transport impacts.
- 5.12. Paragraph 115 confirms that development should provide safe and suitable access for all users and that the impacts on the transport network should be appropriately addressed.
- 5.13. Paragraph 116 establishes a clear and high threshold for refusal, confirming that development should only be refused on highways grounds where there would be an unacceptable impact on highway safety, or where the residual cumulative impacts on the road network would be severe.
- 5.14. The accompanying Transport Statement demonstrates that the development does not give rise to severe impacts and that appropriate mitigation measures, including access improvements and routing controls, are proposed. The proposal is therefore consistent with the transport objectives of the NPPF.

Hinckley and Bosworth Local Plan (Core Strategy 2009 and Site Allocations and Development Management Policies DPD 2016)

- 5.15. The Hinckley and Bosworth Local Plan comprises the Core Strategy and the Site Allocations and Development Management Policies Development Plan Document. These documents provide the statutory framework for decision-making and must be considered as a whole.

Core Strategy Policy 3: Rural Areas

- 5.16. Core Strategy Policy 3 supports development within rural areas where it contributes to the diversification of the rural economy and supports sustainable communities.
- 5.17. The proposal accords with this policy by enabling an existing agricultural holding to diversify into a viable business use, making effective use of its land and buildings and supporting rural economic activity.

Core Strategy Policy 16: Transport Infrastructure

- 5.18. Policy 16 seeks to ensure that development is accessible and does not result in unacceptable transport impacts, whilst promoting safe and efficient movement within the highway network.
- 5.19. The accompanying Transport Statement demonstrates that the development can be safely accommodated on the local highway network and that appropriate mitigation measures are proposed. The proposal is therefore consistent with Policy 16.

Policy DM4: Safeguarding the Countryside and Settlement Separation

- 5.20. Policy DM4 seeks to protect the countryside from inappropriate development, whilst recognising that certain forms of development may be acceptable where they are justified and appropriately located.
- 5.21. The proposal remains closely associated with an existing rural enterprise and is contained within the established farmstead. While it introduces a more commercial element to the site, it does not result in widespread or disproportionate harm to the character of the countryside. The development is therefore consistent with the aims of Policy DM4 when considered in the round.

Policy DM17: Transport and Access

- 5.22. Policy DM17 requires that development proposals provide safe and suitable access and do not adversely affect highway safety or the operation of the local road network.
- 5.23. The Transport Statement confirms that access improvements, routing controls and operational measures can ensure that the development operates safely and without unacceptable impact. The proposal is therefore compliant with Policy DM17.

Sheepy Parish Neighbourhood Plan (2016)

- 5.24. The Sheepy Parish Neighbourhood Plan forms part of the statutory Development Plan and provides locally specific planning policies aimed at protecting the character of the parish whilst supporting appropriate development.
- 5.25. The Neighbourhood Plan seeks to balance the protection of rural character with the need to support local businesses and ensure the continued vitality of the rural economy.

Rural Character and Local Economy

- 5.26. The Neighbourhood Plan supports development that respects the character of the rural area whilst allowing for appropriate forms of economic activity.
- 5.27. In this instance, while it is acknowledged that the development introduces a more overtly commercial appearance, including the presence of HGVs and areas of hardstanding, the use remains contained within an existing farmstead and does not extend into the wider countryside. The proposal also supports an existing rural business and contributes to the local economy.
- 5.28. As such, the proposal is consistent with the overall objectives of the Neighbourhood Plan.

Leicestershire Local Transport Plan 3 (LTP3) (2011-2026)

- 5.29. The LTP3 sets out the County Council's transport strategy, including objectives relating to accessibility and road safety.

Accessibility and Road Safety

- 5.30. LTP3 seeks to improve access to employment opportunities, particularly in rural areas, and to enhance road safety for all users.
- 5.31. The proposal supports these objectives by facilitating rural employment and incorporating measures to improve highway safety, including access enhancements and controlled vehicle routing.

Summary of Policy Compliance

- 5.32. The Development Plan, when read as a whole, does not seek to prevent development within rural areas, but rather to ensure that such development is justified and that its impacts are acceptable.
- 5.33. The proposal represents a form of rural diversification that is expressly supported by national and local policy. It makes effective use of an existing site and buildings, supports economic activity, and incorporates appropriate mitigation to address potential impacts.
- 5.34. There are no policies within the Development Plan that indicate that the development should be refused in principle. Furthermore, the technical evidence submitted, including the Transport Statement, confirms that the impacts of the development do not reach the threshold required to justify refusal under the NPPF.
- 5.35. In this context, the proposal is considered to be compliant with the Development Plan when read as a whole, and there are no material considerations that indicate that planning permission should be withheld.

6. PLANNING ASSESSMENT

Principle of Development

- 6.1. The principle of development depends on whether the use of the site for a mixed B2/B8 operation is acceptable within a countryside location. The site forms part of an established agricultural holding, comprising existing buildings, yard areas and access infrastructure. The proposal does not introduce new built development into an undeveloped rural location, but instead represents the continued use and adaptation of an existing farmstead. As such, the site is already characterised by activity associated with a working rural environment.
- 6.2. National and local planning policy provide clear support for the diversification of agricultural enterprises and the reuse of existing rural buildings for economic purposes. The proposal aligns directly with this position, representing a logical and policy-compliant evolution of the site.
- 6.3. Accordingly, the principle of the development is supported, subject to the detailed assessment of impacts set out below.

Rural Diversification and Economic Benefits

- 6.4. The proposal delivers clear and tangible economic benefits through the continuation of an established rural business. It enables the diversification of the site from a traditional agricultural use into a viable and sustainable rural enterprise, consistent with the objectives of national and local policy.
- 6.5. The operation of a logistics yard, together with associated servicing and repair activities, represents a legitimate form of rural economic activity. The reuse of the existing building for workshop purposes is a material benefit, ensuring the efficient use of existing resources and reducing the need for off-site servicing, which would otherwise generate additional vehicle movements.
- 6.6. Significant weight should therefore be afforded to the economic benefits of the proposal in the overall planning balance.

Character and Appearance

- 6.7. The proposal results in a change to the appearance of the site, most notably through the presence of HGVs within the yard and the extent of hardstanding. It is acknowledged that this introduces a more overtly commercial character when compared to a purely agricultural use.
- 6.8. However, the site is not experienced as an undeveloped landscape, but as an established farmstead where functional and operational activity is an inherent characteristic. The development remains contained within this existing context and does not extend into the wider countryside.
- 6.9. The visual effects are therefore localised and do not result in unacceptable harm to the wider rural character of the area. When considered alongside the clear policy support for rural diversification, the degree of change is not such that it would justify refusal of the application.

Highway Safety and Access

- 6.10. The proposal has been subject to a detailed assessment through the accompanying Transport Statement, which demonstrates that the development can be safely accommodated on the local highway network.

- 6.11. The existing access arrangements are capable of improvement, and the proposed widening will ensure that vehicles can enter and exit the site in a safe and controlled manner. In addition, the proposed routing strategy, requiring HGVs to turn left when exiting the site, will prevent vehicles from travelling through the village and significantly reduce potential impacts on more sensitive locations.
- 6.12. The Transport Statement confirms that the development does not give rise to a severe impact on the highway network. This is the key test set out within the National Planning Policy Framework, and one which is clearly satisfied in this case.
- 6.13. The proposal is therefore acceptable in highway safety terms and fully compliant with both national and local policy.

Traffic Generation and Operational Activity

- 6.14. The assessment of traffic generation must be based on the actual operation of the site. While the yard has capacity for approximately 25 HGVs, the site operates at a materially lower level. A significant proportion of the fleet is either inactive or absent from the site for extended periods, resulting in a substantially reduced level of daily activity.
- 6.15. Only a limited number of vehicles generate regular movements, and while these include early morning departures, this reflects the operational requirements of the logistics sector and is an inherent characteristic of the use.
- 6.16. The Transport Statement confirms that the resulting traffic flows are within acceptable limits and do not give rise to a severe impact on the highway network.

Residential Amenity

- 6.17. The impact on residential amenity has been carefully considered, particularly in relation to HGV movements, including early morning activity. It is recognised that such movements have the potential to give rise to some level of disturbance. However, the site is located within a rural context where a degree of operational activity is to be expected, and the use does not introduce an entirely unfamiliar form of activity into the area.
- 6.18. The level of activity associated with the development is moderated by the operational characteristics of the site, including the limited number of vehicles

generating daily movements. Furthermore, the proposed routing strategy will reduce the potential for disturbance within the village, and the restriction on weekend activity provides additional protection during more sensitive periods.

- 6.19. The imposition of restrictions on hours of operation is not appropriate in this instance, as it would undermine the viability of the business, which relies on early departures as part of its operational model. Instead, the impacts are appropriately managed through the scale and operation of the use, together with the proposed mitigation measures. On this basis, and in line with the implementation of the mitigation measures proposed as part of this application, the development does not give rise to unacceptable harm to residential amenity in planning terms.

Hardstanding

- 6.20. The extension of the hardstanding is an essential component of the development, facilitating the safe and efficient operation of the site.
- 6.21. The provision of adequate hardstanding ensures that HGVs can manoeuvre, park and circulate within the site without conflict or obstruction. This is particularly important given the size and turning requirements of such vehicles.
- 6.22. While the hardstanding contributes to the overall appearance of the site, the extended area that this application seeks to regularise is purely an enlarged area of an existing form of development. It remains contained within the established farmstead and does not result in unacceptable harm to the wider countryside. Its provision is both necessary and proportionate to the operation of the site and is therefore considered acceptable in planning terms.

Personal and Temporary Permission

- 6.23. The application proposes that any permission granted is personal to the current occupiers of the site and subject to a temporary consent.
- 6.24. This approach provides a high degree of control and is appropriate in the circumstances of the case. The acceptability of the development is closely linked to the specific characteristics of the current operation, and a personal permission ensures that the use cannot be intensified or materially altered without further assessment.

- 6.25. The temporary nature of the consent provides an additional safeguard, allowing the Local Planning Authority to review the operation of the site and its impacts over time.
- 6.26. These measures significantly reduce any potential planning risk and weigh in favour of the proposal.

Planning Balance

- 6.27. The proposal represents a policy-compliant form of rural diversification, making effective use of an existing site and buildings to support a viable rural business.
- 6.28. While it is acknowledged that the development introduces a more commercial character and that HGV activity has the potential to give rise to some level of impact, these effects are localised, and the measures put forward within this proposal to mitigate the impacts ensure that the development does not give rise to unacceptable harm.
- 6.29. The proposal delivers clear economic benefits and satisfies the relevant policy tests, including the requirement that development should not lead to severe highway impacts. Taken as a whole, the proposal represents sustainable development, accords with the Development Plan when read as a whole, and should be supported.

7. CONCLUSION

- 7.1. This application seeks to regularise the use of land and buildings at Sheepy House Farm for a mixed B2 and B8 use, comprising the storage of HGVs, the servicing and repair of vehicles within an existing building, and the extension of hardstanding necessary to support those operations.
- 7.2. The proposal represents the continued evolution of an established agricultural holding and a clear example of rural diversification. It makes effective and sustainable use of an existing site and buildings, supports an established rural business, and contributes positively to the local economy. In this respect, the development aligns directly with the objectives of the National Planning Policy Framework and the relevant policies of the Development Plan.
- 7.3. The application has been supported by a detailed technical evidence base, including a Transport Statement, which demonstrates that the development can be safely

accommodated on the local highway network and does not give rise to a severe impact. The proposed access improvements and routing arrangements further ensure that highway impacts are appropriately mitigated.

- 7.4. The development is further supported by the proposed imposition of a personal and temporary planning permission, which provides a high degree of control and ensures that the impacts of the use remain within the parameters assessed.
- 7.5. The proposal must be determined in accordance with the Development Plan unless material considerations indicate otherwise. In this case, the development accords with the Development Plan when read as a whole, and there are no material considerations that indicate that planning permission should be withheld.
- 7.6. In conclusion, the proposal represents sustainable development, with the benefits of supporting a rural business and enabling the effective use of the site clearly outweighing any identified impacts. Accordingly, it is respectfully requested that planning permission is granted.