

Delegated Report

Planning Ref: 25/00513/FUL
Applicant: Mr Mark Pashley
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Rare Ltd Manor Park Twycross

Proposal: Synthetic grass football exercise area complete with fencing

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 synthetic grass football exercise area with fencing at Rare Ltd, Manor Park, Twycross.

2.2. The new synthetic grassed football exercise area is proposed to the south-east of main building to an area of relatively little-used grassed land. It would be situated to the south-east of the site and would measure 50.00 metres for a width of 64.00 metres. It would benefit from a 3.00 metre run off area around the entirety of the surround and would comprise 32 millimetres synthetic 4G turf carpet to the ground enclosed by 4.00 metre high twin bar rebound mesh black fencing.

2.3. Rare Ltd has grown in staff numbers over the years and now has over 240 employees. There is currently one small internal gymnasium and an outside area used for football and outdoor games at the site but given the increase in demand for sports within the working day a dedicated all-weather facility is required to meet the needs of the company's fitness programme.

3. Description of the site and surrounding area

3.1. The application site comprises a purpose-built headquarters and design studio for Microsoft Rare. Accessed via Watery Lane, the site is located outside of any settlement boundary and so within the countryside. However, the Employment Land and Premises Study (ELPS) (2020) does identify the application site as an existing employment site being a Category A site.

3.2. The existing buildings on the site are set within a parkland landscape complete with wooded areas and lakes. The site is well screened by woodland and there are only glimpses of the buildings from public viewpoints.

4. Relevant planning history

94/00853/FUL

- Erection of office complex, change of use of dwelling to offices and associated works
- Refused
- 11.01.1995

95/00304/OUT

- Erection of office and research and development buildings, and associated development
- Outline Planning Permission
- 19.04.1996

96/00294/REM

- Erection of headquarters office buildings and associated development
- Approval Of Reserved Matters
- 30.05.1996

96/00562/REM

- Erection of headquarters office buildings and associated development
- Approval Of Reserved Matters
- 18.09.1996

97/01017/ADV

- Erection of signs
- Advertisement Consent
- 22.12.1997

05/00572/FUL

- Extensions to administration block and additional "barn" unit
- Planning Permission
- 10.08.2005

20/00138/FUL

- Construction of two brick structures comprising back-up generator building adjacent to main campus buildings and electrical switch room to the south of main campus; Timber structure comprising fuel tank housing adjacent to existing fuel storage compound and Alterations to three campus buildings in association with new mechanical cooling system comprising condensor units and cladding.
- Planning Permission
- 07.04.2020

20/00185/FUL

- Erection of two-storey temporary building for staff accommodation
- Planning Permission
- 16.04.2020

20/00989/FUL

- Construction of two brick structures comprising backup generator building adjacent to main campus buildings and electrical switch room to the south of main campus; Timber structure comprising fuel tank housing adjacent to existing fuel storage compound and alterations to three campus buildings in association with new mechanical cooling system comprising condenser units and cladding.

- Planning Permission
- 27.11.2020

21/00198/FUL

- Erection of office block and associated plant, pedestrian access and engineering operations
- Planning Permission
- 14.05.2021

21/00753/FUL

- Installation of solar photovoltaic panels to generate electricity and associated works.
- Planning Permission
- 23.09.2021

22/01224/FUL

- Propose construction of two storey storage unit
- Planning Permission
- 31.03.2023

5. Publicity

- 5.1. The application has been publicised by a site notice being posted within the vicinity of the site.
- 5.2. No representations have been received.

6. Consultation

6.1. Twycross Parish Council;

- No comments have been received.

6.2. HBBC Arboricultural Officer;

'I have no formal objections to the development; it appears from the supplied information that there are only a few trees to be removed which are void of any legal implications.'

6.3. HBBC Environmental Health – Pollution;

'No objection'

6.4. LCC Ecology;

'No objection (for recommended conditions or informatives- see below)

REASON FOR RECOMMENDATION:

- *There has been a review of applicant submitted information Ecological Appraisal (RPS Group, November 2020) and Ecology Consultation Response – GCN (Allied Ecology, August 2025) which are accepted and brief overview below.*

- *The original survey by Ecological Appraisal (RPS Group, November 2020) can be relied upon for the current application as stated in the Alliet Ecology note (August 2025) for the purposes of this assessment.*
- *Birds – no nesting birds were observed during the survey and the current grassland management regime does not make the application site suitable for ground nesting birds and no further surveys are required. However, any vegetation clearance should take place outside the bird nesting season which runs from March to August inclusive. If this is not possible a nesting bird check should take place no later than 24 hours prior to removal by a suitably qualified ecologist. Please see recommended Informatives.*
- *GCN – ponds within 250m were subjected to HSI scores and considered unsuitable to support GCN or 'poor'. Natural England's mitigation licence 'risk assessment' tool has also been used, and an offence is considered highly unlikely. Therefore, no further surveys are required. However, a series of precautionary measure will be required such as destructive searches and vegetation manipulation via a two staged cut under the supervision of Ecological Clerk of Works. These measures should be included within a Construction and Environmental Management Plan Biodiversity (CEMP). Please see recommended Conditions.*
- *Reptiles – The wider site is considered suitable to reptiles, however given the current management regime of the application site they are not considered present in this location. Given the measures required for GCN no further surveys are required however, reasonable avoidance measures should be included within the Construction and Environmental Management Plan Biodiversity (CEMP). Please see recommended Conditions.*
- *Badgers – No evidence of badger was recorded; however, they may frequent the site therefore a series of reasonable avoidance measures will be required to ensure badgers are not harmed during construction. These should be included within a within a Construction and Environmental Management Plan Biodiversity (CEMP). Please see recommended Conditions.*
- *Hedgehogs – The site does provide foraging habitat, and hedgehogs have been seen by staff on site. Therefore, a series of reasonable avoidance measures will be required to ensure hedgehogs are not harmed during construction. These should be included within a within a Construction and Environmental Management Plan Biodiversity (CEMP). Please see recommended Conditions.*

BNG specific

- *Currently the 10% Biodiversity Net Gain will be met on site with a +11.93% increase in Habitat Units.*
- *Therefore, significant on-site enhancement will need securing and monitoring for a 30- year period.*
- *A Habitat Management and Monitoring Plan (HMMP) and biodiversity net gain will need to be secured by condition. Please see Conditions.*

ANY RECOMMENDED CONDITIONS TO BE APPLIED:

- *CEMP Biodiversity - No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has 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 Great Crested Newts, reptiles badgers and hedgehogs*
- C. *timing of works to avoid harm to nesting birds*
- D. *responsible persons for overseeing sensitive works*
- E. *Use of protective fencing where required.*
- *The approved CEMP shall be adhered to and implemented throughout the construction period, unless otherwise agreed in writing by the LPA.*
- *HMMP - The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:*
 - a) *Description and evaluation of the features to be managed;*
 - b) *Ecological trends and constraints on site that may influence management;*
 - c) *Aims, objectives and targets for management - links with local and national species and habitat action plans;*
 - d) *Description of the management operations necessary to achieving aims and objectives;*
 - e) *Preparation of a works schedule, including annual works schedule;*
 - f) *Details and a timetable of the monitoring needed to measure the effectiveness of management;*
 - g) *Details of the persons responsible for the implementation and monitoring;*
 - h) *mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and*
 - i) *Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain*
- *(To enhance biodiversity, and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990)*

ANY RECOMMENDED INFORMATIVES TO BE APPLIED:

- *Nesting Birds - Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.'*

6.5. LCC Minerals:

- No comments have been received.

6.6. Sport England:

'The proposed development relates to the construction of a small sided Artificial Grass Pitch (AGP) built on non-playing field land. Therefore, the proposal falls under Sport England's non-statutory remit (National Planning Policy Guidance (PPG)).

The new sports facility should be assessed against Section 8 of the National Planning Policy Framework (NPPF) (2024) and Sport England's planning objectives. Sport England's planning objectives are:

- Protect - To protect the right opportunities in the right places.*
- Enhance - To enhance opportunities through better use of existing provision.*
- Provide - To provide new opportunities to meet the needs of current and future generations.*

The New Pitch Layout Drawing (No: 1516-06) includes details of the proposed AGP. To ensure that the facility would be fit for purpose, the Football Foundation (FF) has recommended that the proposed that the design of the AGP adheres to The FA Guide to Football Turf Pitch Design Principles and Layouts. With regards to the plans provided the FF has the following recommendations:

- Construction Quality - The pitch should be constructed to FIFA Quality Programme for Football Turf – FIFA Quality standard or equivalent International Match Standards (IMS) as a minimum.*
- Floodlighting – Consideration should be given to sports lighting.*
- Fence height – The FA recommend that the perimeter fence height on all sides of the 3G AGP should be 4.5 metres.*
- Spectator area – A dedicated hard standing area for spectators should be provided within the perimeter fence. A 1.1m high spectator barrier should be installed to ensure that spectators can view the 3G playing area from this hard standing area which is separate from the 3G area.*
- Access – The FF recommends reviewing the proposed double-gate access to ensure maintenance machinery or emergency vehicles can access the pitch if required.*
- Infill retention - measures should be taken to manage and minimise the loss of infill from the playing surface. BSI Standards, working with the European Committee for Standardisation (CEN), have developed a Technical Report describing the procedures that should be used to control infill migration. Design measures and procedures to control infill migration include:*
 - Fitting containment barriers on a pitch's perimeter fencing.*
 - Installing decontamination grates and boot cleaning brushes at all player and vehicle entrance gates.*
 - Ensuring all stormwater drains around a pitch have suitable microfilters to capture any infill being carried by surface run-off, etc.*
 - Keeping a dedicated maintenance brush within the boundaries of the pitch, so it cannot carry infill into the surrounding environment.*
 - Thoroughly removing any infill from maintenance tractors, etc. before they leave the pitch.*

Sport England's Assessment

Based on the information submitted with the planning application submission along with the comments made by the FF, Sport England has no objections to the

proposed AGP which would provide new opportunities for sport and recreation for users of the site.'

7. Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM19: Existing Employment Sites

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- HBBC Employment Land and Premises Review (2024)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Assessment against strategic planning policies

8.2 Notwithstanding that the application site is located in the countryside; the NPPF and Policy DM1 of the adopted Site Allocations and Development Management Plan (SADMP) provides a presumption in favour of sustainable development. Policy DM4 of the adopted Site Allocations and Development Management Plan (2016) sets out the circumstances in which development would be considered sustainable within the countryside, such as (section (a)) it relates to outdoor sport or recreation purposes.

8.3 The application site forms part of an employment site as designated in the SADMP. Rare, Manor Park comprises a total area of 9.66 hectares and is identified as a Category A Employment Site in HBBC's Employment Land and Premises Review 2024 (Appendix 3 – Employment area pro-formas). The Review states that the Industrial Estate consists of 100% employment uses.

8.4 Within Policy DM19 of the SADMP, category A sites are categorised as employment locations that are in their entirety, for B1, B2 and B8 employment uses.

8.5 Policy DM19 of the SADMP would not be applicable in this case as the proposal would not impact the existing category A use, with works being limited to the construction of a synthetic grass football exercise area with fencing.

8.6 The proposal for an additional sports facility is considered appropriate development which would provide new opportunities for sport and recreation for users of the site.

There is a clear presumption in favour of outdoor sport or recreational proposals supported by local policies. Therefore, the principle of the proposed development is considered to be acceptable. Compliance with the relevant sections of Policy DM4 of the SADMP will be assessed further in the following section.

Design and impact upon the character of the area

- 8.7 Section 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 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.8 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, taking into account any local design guidance and supplementary planning documents such as design guides and codes.
- 8.9 Policy DM4 of the SADMP allows for sustainable development within the countryside for outdoor sport or recreational facilities when it meets the below requirements;
- i) It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
 - ii) It does not undermine the physical and perceived separation and open character between settlements; and
 - iii) It does not create or exacerbate ribbon development; with Core Strategy Policies 6 and 9; and
 - iv) If within a Green Wedge, it protects its role and function in line
 - v) If within the National Forest, it contributes to the delivery of the National Forest Strategy in line with Core Strategy Policy 21
- 8.10 Criterion ii – v of Policy DM4 of the SADMP would not be relevant to this application as the proposal would not undermine the separation between settlements, not create or exacerbate ribbon development and is not located in the Green Wedge or the National Forest.
- 8.11 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.12 The application seeks full planning permission for a synthetic grass football exercise area with fencing at Rare Ltd, Manor Park, Twycross.
- 8.13 The proposal would be sited to the south-east of the main building to an area of relatively little-used grassed land under the applicant's ownership. The proposed exercise area would largely be screened from view from Church Street and Watery Lane due to the existing vegetation surrounding the site. Therefore, the proposal would not have a significant impact upon the character of the existing, neighbouring buildings, street scene or on the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.14 Overall, the proposal would be in accordance with the Policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.15 Policy DM7 of the SADMP states that all reasonable steps should be taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion.
- 8.16 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighboring properties.
- 8.17 The nearest residential property is sited approximately 350.00 metres from proposal, with the application site being screened by mature hedgerows with intervening field boundaries present making views of the site significantly limited. The proposal would not include the incorporation of flood lighting and would be for the employees use only. Therefore, the proposal would not result in significant harm to the amenity of any surrounding residential dwellings.
- 8.18 Overall, subject to conditions the proposed development would accord with policies DM7 and DM10 of the SADMP regarding noise/pollution and residential amenity

Impact upon ecology

- 8.19 Policy DM6 of the 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 not is feasible.
 If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.20 The statutory framework for BNG has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Once planning permission has been granted, a 'Biodiversity Gain Plan' must be submitted and approved prior to commencement of the development. However, the PPG is clear that BNG is no just a post-permission matter, that it is a material consideration and that when determining a planning application LPA's need to consider whether the BNG condition is capable of being discharged successfully through the imposition of conditions and/or a legal agreement.
- 8.21 The application has been accompanied by a Biodiversity Net Gain (BNG) small site metric along with supporting plans as the development is not exempt from mandatory BNG. The BNG metric has indicated a net gain over 10%, satisfying LCC Ecology, subject to a 30 year Habitat Monitoring and Management Plan (HMMP) condition being imposed as well as being subject to the national standard mandatory BNG 'pre-commencement condition'.
- 8.22 Notwithstanding that the BNG will be met, as the site is situated on the outskirts of Twycross which has a rural setting surrounded by large mature trees and pockets of

woodland that directly connect to the wider countryside consisting of agricultural fields bounded by hedgerows interspersed with ponds with the application site itself having large areas of grassland, trees, woodland with ponds to the east providing foraging and commuting habitats for a range of species a walkover survey was requested by LCC Ecology.

- 8.23 On the 6th August the requested walkover survey was provided along with a consultation response from the applicants instructed Ecologist and subsequently forwarded over to LCC Ecology for their review. On the 19th August LCC Ecology confirmed removal of their holding objection, subject to a Construction and Environmental Management Plan Biodiversity (CEMP) condition being imposed. An informative has also been added regarding nesting birds.
- 8.24 By virtue of the above, subject to conditions and informative, the development would accord with Policy DM6 of the adopted Site Allocations and Development Management Plan (2016).

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 The proposed synthetic grass football exercise area with fencing would sufficiently respect the scale and character of the existing building, neighbouring buildings, street scene and the intrinsic value, beauty, open character and landscape character of the countryside and would not significantly adversely affect the amenities of the occupiers of neighbouring properties or the ecology of the site. The application is considered to be in accordance with Policy DM1, DM4, DM6, DM7 and DM10 of the SADMP and is therefore recommended for approval subject to conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject:
- 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:

- Proposed Site Plan, Drg No. 1516-05
 - Topographical Survey, Drg No. 1516-05
 - Proposed Floor Plan and Elevations, Drg No. 1516-06
- All as received by the Local Planning Authority on the 22nd May 2025.

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

3. No development shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has 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 Great Crested Newts, reptiles badgers and hedgehogs
- c) timing of works to avoid harm to nesting birds
- d) responsible persons for overseeing sensitive works
- e) use of protective fencing where required.

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

Reason: To enhance biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990.

4. The development shall not commence until a 30 year Habitat Monitoring and Management Plan (HMMP), prepared in accordance with an approved Biodiversity Gain Plan, has been submitted to and approved in writing by the local planning authority. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
- c) Aims, objectives and targets for management - links with local and national species and habitat action plans;
- d) Description of the management operations necessary to achieving aims and objectives;
- e) Preparation of a works schedule, including annual works schedule;

- f) Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g) Details of the persons responsible for the implementation and monitoring;
- h) mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- i) Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain

Reason: To enhance biodiversity in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and in accordance with the National Planning Policy Framework and paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990.

11.3 Notes to applicant

- a) **Your attention is drawn to the below Biodiversity Net Gain note on page 3 and 4 of this Decision Notice which explains that the development is subject to the statutory "biodiversity gain condition". A Biodiversity Gain Plan needs to be submitted to and approved in writing by Hinckley and Bosworth Borough Council prior to commencement of development.**
- b) Nesting birds are protected under the Wildlife & Countryside Act 1981 (as amended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
- c) 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.