

**Delegated Report
Report of the Planning Manager (Development Management)**

**Planning Ref: 23/00704/FUL
Applicant: ALDI Stores Limited
Ward: Hinckley Clarendon**



**Hinckley & Bosworth
Borough Council**

Site: Aldi Watling Street Hinckley

Proposal: Extension to existing Aldi Foodstore (Class E), car park and associated works

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 planning application proposes an extension to the existing Aldi store at Watling Street to provide an additional 499 sq m (GEA) which would equate to an additional sales area of 400 sq m.
- 2.2. To accommodate the extension the proposed site extends to approximately 0.76 hectares. The additional 0.21 ha of land located along the existing store's northern and western boundaries which is to be used to accommodate the proposals was previously farm land but has been fenced off for some years.
- 2.3. The Proposed Site Layout Plan shows the extension to the store on its northern and western boundaries. The customer entrance will be unaltered and is located at the south-eastern corner of the building.
- 2.4. 132 car parking spaces are proposed to be provided which represents an increase of 44 spaces. This includes 6 accessible, 6 parent and child, and 4 electric vehicle charging spaces. The accessible and parent and child parking spaces are proposed to be located directly in front of the foodstore. 10 cycle spaces are also provided adjacent to the entrance. No changes are proposed to the existing vehicular access to the site from the A5.
- 2.5. Whilst some soft landscaping will need to be removed to facilitate the proposals, new landscaping is proposed along the north, west and eastern boundaries. In response to Officer comments, additional planting has been provided within the site.
- 2.6. The proposed extension will measure 8.4m to roofline to match the scale of the existing building. The existing building comprises brick facades and tiled roof, with a glazed store frontage. The existing brick columns will remain but the infill walls will be rendered, and the extension will be designed to match.

3. Description of the site and surrounding area

- 3.1. The site is located on Watling Street, Hinckley with The Long Shoot (A47) to the West and Dodwells Road (A47) to the East and comprises approximately 0.55ha.

- 3.2. The buildings bordering the site are a petrol station and a small group of two-storey and single-storey houses, with the north and west bounded by fields. The adjacent dwellings are separated from the site by a 2m high close boarded fence, whilst the remained or the site is enclosed by post and rail fencing and hedgerow. Further to the east of the site is Dodwells industrial estate where a recently constructed Macdonalds Fast Food Restaurant forms a gateway to the industrial estate. The site's northern, eastern and western boundaries are marked by hedgerow and some mature trees.
- 3.3. The existing building is a chalet style single storey building with a pitched roof, tiled in clay roof tiles and a mix of red brick and clad elevations. The existing shop front is positioned in the south west elevation, facing Watling Street. The existing building is positioned back in to the site, flanking the western boundary and is 1410 sq. m with a retail area of 940 sq. m. Car parking for 88 vehicles wraps around the southern and eastern elevations. Customer, HGV and pedestrian access to the site is taken from a single point of access from Watling Street.
- 3.4. The site is surfaced in a mixture of tarmacadam and permeable block pavements. A brook runs along the southern boundary of the site, being culverted under the A5 and then runs up along the side of the site into the surrounding countryside.

4. Relevant planning history

96/00884/CLU - certificate of existing lawfulness (retail a1) - Granted 17.12.1996

97/00043/FUL - demolition of existing retail unit erection of food retail store and extension to chinese restaurant - Permission Granted - 13.06.1997

19/00572/FUL - Demolition of existing A1 retail store and erection of new food retail store (use class A1) with associated car parking, servicing and landscaping – Approved 29.01.2020

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site. Only **one** representation has been received following the application's publicity. Whilst the respondent does not object in principle, they raise concerns regarding the effectiveness of the proposed drainage system. This matter will be considered in the report below.

6. Consultation

- 6.1. The following provides a summary of the consultation responses received. Where appropriate, the responses are incorporated into the body of this report:

- LCC Highways – no objection subject to conditions
- National Highways – no objection
- Cadent Gas – no objection
- Environmental Health – no objection subject to conditions
- Ecology – no objection subject to conditions
- HBBC Drainage – no objection subject to conditions
- LLFA – No comment
- HBBC Waste – No comment/objection

- Environment Agency – No comment/objection
- 7. Policy**

Core Strategy (2009)

- Policy 1: Development in Hinckley

Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- 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 DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM21: Locating Sustainable Town Centre Uses
- Policy DM23: High Quality Shopfronts and Advertisements

National Planning Policies and Guidance

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

Other relevant guidance

- Leicestershire Highways Design Guide
- Hinckley and Bosworth Town and District Centres Study (2017)
- Landscape Sensitivity Assessment (2017)

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
- Flooding and Drainage
- Trees & Ecology
- Pollution Assessment

Assessment Against Strategic Planning Policies

- 8.2** Paragraph 2 of the National Planning Policy Framework (NPPF) (2019) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate

otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.

- 8.3 Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009), and the Site Allocations and Development Management Policies DPD (2016).
- 8.4 There are two in-principle issues to be assessed in order to establish the acceptability of the development proposals. Those matters arising from retail policy and those which seek to protect the countryside.
- 8.5 The existing site is located within the settlement boundary of Hinckley, which is identified as a sub-regional centre within policy 1 of the Core Strategy, considered to be the most sustainable settlements able to accommodate additional development. To support its role as a sub-regional centre focus is given to development within the town centre, supported by the Hinckley Town Centre Area Action Plan (AAP) and the Town and District Centre Study (2017). Annex 2 of the NPPF (2019) defines retail development such as that proposed, as a main town centre use. The application site is not located within the Hinckley Town Centre boundary as defined within the AAP and is an out of town location.
- 8.6 A sequential test is a national policy requirement for planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date Local Plan regardless of scale, as set out at paragraph 86 of the NPPF. This is also supported by Policy DM21 of the SADMP which seeks to ensure that town centre uses are directed to the most sustainable location in a sequential approach, aiming to protect the viability and vitality of Town and District Centres.
- 8.7 The first sequentially preferable location for town centre uses is Hinckley Town Centre, this site is located outside of the town centre and is not located within a district or local centre, the site would be considered an out of centre location.
- 8.8 The proposed floor space does not exceed 2500 sqm, therefore the application is not required to provide a Retail Impact Assessment as set out in Paragraph 89 of the NPPF.
- 8.9 Policy 1 of the Core Strategy, confirms that within Hinckley, support is given to the development of an additional 5.300sqm (net) up to 2021 of convenience floor space, primarily located on the bus station redevelopment site. This has been delivered by the construction of the Sainsbury's store, which delivered 9674 sq m. of gross internal floor space, although this is not net floor space. The Town and District Centres Study (2017) which is later than the CS, identifies a borough wide need for convenience goods shopping of an additional 3,400 sq.m for the period to 2026, demonstrating a positive requirement for additional convenience goods floor space.
- 8.10 Retail provision in Hinckley has changed since the Study was prepared, including with ALDI opening its store at Hollier's Walk, and with Lidl relocating from Hawley Road to Coventry Road. Sainsbury's had already opened at the Bus Station site when the Study was prepared (in 2015).
- 8.11 The latest Authority Monitoring Report covered the period April 2019 to March 2020. It noted that 12,270 sqm of convenience floorspace had been added in the Borough

since 2014/15. This figure would have included the increase in floorspace permitted by the 2020 ALDI consent. Due to the grant of permission under planning application reference 19/00572/FUL, the principle of increased retail floorspace on the application site has already been established and has been accounted for in monitoring activities. As just 400 sq m of retail floorspace is proposed compared to the 454 sqm (GIA) increase previously approved, there is no reason why the current proposals would be unacceptable in principle in retail policy terms. Whilst the 2020 consent has recently expired, there has been no material change in policy or circumstances that would warrant an alternative decision being taken.

- 8.12 For completeness, in respect of retail policy and the sequential test, the proposals are for an extension to an existing foodstore and that the sequential test is appropriately applied on the basis that the proposals are location-specific (i.e. they can only be delivered in this location because they are an extension). This is in accordance with the approach set out in the PPG.
- 8.13 In respect of retail impact, there is no requirement to prepare an impact assessment. In their submission the applicant has described the pattern of main-food and top-up shopping in the area, both within and outside the boundaries of designated centres, to inform a judgment on the likelihood that the proposal would have a significant adverse impact on any designated centre. They show that the main food shopping patterns are well established, and that the ALDI at Watling Street has been part of that provision for circa 25 years. The proposals are primarily to provide qualitative improvements for the benefit of existing customers, will not materially impact on established shopping patterns, and will not have a significant adverse impact on Hinckley town centre, or other local centres.
- 8.14 In addition to the matters discussed above it is necessary to consider that the application includes the expansion of the existing site boundaries beyond the identified settlement boundary edge, which runs tight to the application site boundary – those issues arising from the site's countryside location. Although the site falls largely within the settlement boundary of Hinckley policy DM4 should be applied as the development site is inclusive of land identified as countryside. It is noted that the extended site is the same as approved under planning application reference 19/00572/FUL and so once again it would be unreasonable for a different conclusion being made in respect of this matter.
- 8.15 Policy DM4 of the adopted SADMP seeks to protect the intrinsic value, beauty and open character and landscape character through safeguarding the countryside from unsustainable development. Policy DM4 states that the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where (inter alia – to take the relevant sections) the proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or it significantly contributes to economic growth, job creation and/or diversification of rural business and: It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and It does not undermine the physical and perceived separation and open character between settlements; and it does not create or exacerbate ribbon development.
- 8.16 Whilst the development does not strictly fall within the acceptable categories of development provided by DM4 in that, whilst the proposals constitute an extension to the existing building, it cannot be said that the proposals enhance it immediate setting, and whilst the scheme will contribute to economic growth and job creation, Aldi does not constitute a rural business. On the other hand, whilst applying the second set of tests provided by DM4 the proposals would not have a significant

adverse impact on the intrinsic value, beauty, open character and landscape character of the countryside and nor does it undermine settlement separation or create ribbon development, and certainly not over and above the development that has already been approved and could be implemented. Given that the proposals involve an extension to an existing building, the scheme will contribute to economic growth and 10 jobs will be created that can be filled by those living in the rural locality, together with the material consideration of the previously approved replacement store, the policy conflict is considered to be minor and the harm arising from this conflict should be held in limited weight when weighed in the planning balance.

Design and impact upon the character of the area

- 8.17 The NPPF requires the creation of high quality, beautiful and sustainable buildings.
- 8.18 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.
- 8.19 Policy DM23 requires new shop fronts to be of high levels of design to ensure local distinctiveness
- 8.20 The extension is of a height and scale that is consistent with the existing store, and of similar materials, such that localised views into the site will be largely unchanged. The proposals include rendering the existing brickwork, will modernise the appearance of the store. No changes are proposed to the glazed elevation, which will continue to front on to Watling Street, providing activity to the street scene.
- 8.21 The design is considered to be appropriate in its context and additional planting has been proposed which will soften the car parking area. On this basis, the development proposals are considered to comply with the relevant design policies.

Impact upon neighbouring residential amenity

- 8.22 Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties and a good standard of amenity for all existing and future occupants of land and buildings including matters of privacy and amenity. Similarly paragraph 130 of the NPPF (inter alia) requires development proposals to create places which promoted health and well-being, with a high standard of amenity for existing and future users.
- 8.23 There are a limited number of residential properties that could be adversely impacted upon by the proposed development, the site is bound on two sides by agricultural fields, with the nearest residential property to the west over 120m away. To the north of the site are industrial buildings, separated from the site by a field. To the south, the site is bound by the A5, a busy strategic highway route; there are no residential properties across this highway in close proximity to the site. Therefore, the dwellings to the east of the site, which adjoin the site boundary, are those most likely to be impacted upon.
- 8.24 It is noted that the proposals do not reduce the separation distance between the store's eastern elevation and neighbouring properties to the east, and the extension of the store to the north and west will not impact on any other residential properties given the intervening distances. Overall, when considering the amenities of neighbouring occupiers, no material impacts are considered to arise from the development proposal when compared to the scheme granted under reference

19/00572/FUL and so it would be unreasonable to object to the scheme on these grounds on this occasion.

- 8.25 The applicant explains that deliveries are required on every day that the foodstore is open to ensure the availability of fresh produce, including on Sundays and Bank Holidays. The existing planning consent for the store does not include any restrictions on servicing to the store. A Noise Impact Assessment has been undertaken by Noise Solutions Ltd which confirms that deliveries would have no impact on the daytime or night-time average noise levels in the vicinity of the site and that no restrictions on delivery hour are required. The applicant proposes no change to its existing unrestricted servicing arrangements and it is considered unreasonable to seek to change this well-established arrangement particularly where it has been shown that no harmful impacts arise.
- 8.26 Aldi's stores are normally open 7 days a week (including the majority of Bank Holidays) and would typically trade:
- 08:00 hours to 22:00 hours – Mondays to Saturdays (including bank holidays); and,
 - 10:00 hours to 16:00 hours – Sundays
- 8.27 The above hours were applied by condition to the consent granted to the 2020 consent for the new store and so the same approach can reasonably be applied in this instance.
- 8.28 Based on the assessment above the proposals are considered to comply with SADMP policy DM10 and the advice contained in the NPPF in respect of amenity.

Impact upon highway safety

- 8.29 Policy DM17 of the SADMP supports development proposals where they demonstrate that there would be no adverse impacts on highway safety and that development is located where the use of sustainable transport modes can be maximised. Policy DM18 of the SADMP seeks an appropriate level of parking provision within sites to serve the development. Policy 111 of the Framework states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.30 Following some discussion with the applicant regarding the submission of evidence, in respect of the traffic impact of the proposals, National Highways have advised *'Following further review of the development scope and anticipated use, National Highways has determined that given the level of traffic increase proposed by the modest increase in development scale, any potential mitigation would be disproportionate to the development..'*
- 8.31 On the basis of National Highways response and given the Highway Authority raised no objection to application 19/00572/FUL, which would have resulted in a similar scale expansion of the store, the authority advise that it would not be able to demonstrate the proposals would have a severe impact on the county highway network and therefore conclude that under the site specific circumstances, it has no objection to the proposals. The Highway Authority have confirmed that the access arrangements are appropriate and that adequate parking and turning both for cars and delivery vehicles have been provided.
- 8.32 Accordingly the Highway Authority has advised that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively

with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the NPPF subject to the use of the recommended conditions.

- 8.33 Based on the advice above, the development proposals are considered to accord with SADMP policy DM17, DM18 and the advice contained in the NPPF.

Flooding and Drainage

- 8.34 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding
- 8.35 The site itself falls within flood zone 1 and does not exceed 1 ha in size, however, according to the Environment Agencies website the site has varying degrees of risk from surface water flooding, with some areas being at high risk. The site is also in close proximity to flood zone 2 and 3 associated with the adjacent Harrow Brook. An ordinary water course runs adjacent to the southern site boundary, adjacent to the A5, which is bridged over and culverted close to the site access, beyond which it joins the Harrow Brook a Main River. Therefore, a site specific Flood Risk Assessment and drainage strategy has been submitted to support the planning application.
- 8.36 The Flood Risk and Drainage Strategy confirms that the site can be adequately drained without increasing flood risk off site. It is proposed to discharge surface water to the car park into the existing drainage system, as well as a new cellular storage tank, which in turn discharges to the adjacent watercourse. The EA, LLFA and HBBC Drainage Team raise no objection to the proposed development. With a condition to ensure compliance with the recommendations set out in the Flood Risk and Drainage Strategy, the development proposals will comply with SADMP policy DM7 and the advice contained in the NPPF in respect of flood risk.
- 8.37 Whilst it is acknowledged that an interested party raised concerns regarding the drainage strategy, they have not presented any evidence that disproves the conclusions of the applicant's drainage consultant, the EA, LLFA and the HBBC Drainage Team. Whilst it is recognised that flood risk can be concerning to residents, it would therefore be unreasonable to seek to refuse to grant permission on these grounds.

Trees & Ecology

- 8.38 Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. Paragraph 174 bullet "d" of the NPPF requires planning decisions to contribute to and enhance the natural and local environment by (inter alia) minimising impacts upon and providing net gains for biodiversity.
- 8.39 Leicestershire and Rutland Environmental Records Centre (LRERC) have been referred to check for data for protected species and designated sites within the locality, which may incur potential impacts depending on the proposals. This identified the presence of a known common pipistrelle roost and mitigation site associated with the structure on site.
- 8.40 No statutory designated sites were noted within close proximity, although the River Anker which is a non-statutory Local Wildlife Site (LWS) is located immediately adjacent to the south-west boundary. The Preliminary Ecological Appraisal (PEA) completed by Middlemarch in July 2023 is sufficient. The report also includes a Preliminary Roost Assessment (PRA) of the

structure within, which identified that it had high bat roost potential and further surveys were recommended and later undertaken. Precautionary best practices measures have been recommended for mammals (badger, otter & hedgehog) and nesting birds. A Schedule 9 non-native invasive species (NNIS) under the Wildlife and Countryside Act 1981 (as amended) was recorded on Site and recommendations to ensure that it does not spread as result of the proposals have been made.

- 8.41 Following the PRA conducted in July 2023, additional nocturnal presence/absence surveys for roosting bats were undertaken on the structure as reported in the bat survey report (Bat Survey Rt-MME- 160815- Rev A) dated August 2023. The surveys did not identify the presence of a roosting bats and therefore no further consideration for this species in relation to roosting is required, unless the works to not commence within the next 12 months. Should the proposed works have not commenced by August 2024 there is a recommendation within the report to update the previous survey effort due to the potential roost features recorded.
- 8.42 Low levels of common pipistrelle activity was recorded along the hedgerow of the west boundary and in the north-east of the site. Therefore standard advice regarding lighting should be followed, this is set out in Section 6 Page 12 of the report. If significant external lighting is required, then a Lighting Strategy pre-approved by a competent bat licensed ecologist should be submitted as a pre-commencement planning condition.
- 8.43 Based on the above, the Council's ecologist raises no objection to the development proposals subject to conditions to secure the necessary additional steps and protections.
- 8.44 An Arboricultural Impact Assessment has been submitted which identifies existing tree and hedgerow constraints adjacent to the site boundary and within the site. The proposals have sought to retain as many trees as possible, however to facilitate the extension the trees to be removed from the site would comprise 2 category C, 1 category U, 2 category C groups and 1 category B group.
- 8.45 The Council would normally resist the loss of B Category trees. A Landscaping Plan has been provided which shows that replacement trees are provided within the scheme to compensate for the losses and additional planting has been provided within the site at the request of officers. It is noted that the Ecologist has not objected to the loss of trees and it should be noted that the losses are comparable to those associated with the 2020 approval. On this basis objecting based on this matter would be unreasonable.
- 8.46 With the use of conditions, the development proposals are considered to accord with SADMP policy DM6 and the advice contained in the NPPF.

Pollution

- 8.47 Policy DM7 of the SADMP seeks to ensure that adverse impacts from pollution are prevented. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties and a good standard of amenity for all existing and future occupants of land and buildings including matters of lighting, air quality, noise and vibration.
- 8.48 A Phase 1 Environmental Site Assessment has been submitted in support of the planning application. Based on additional details provided by the applicant, the Environmental Health Officer is satisfied that development can safely proceed subject to a condition that sets out precautionary measures should any new contamination be discovered during construction. They are also satisfied with the

lighting strategy and details of the acoustic fencing that has been provided. It is noticed that Cadent Gas have clarified that high pressure gas pipelines will not be impacted by the development proposals. With the use of conditions the development proposals are considered to comply with SADMP Policy DM7.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.

9.3 There are no known equality implications arising directly from this development.

10. Conclusion

10.1. This report has shown that the development proposals are acceptable in principle when considering retail policy although there is minor harm arising from, what is considered to be a minor policy conflict with SADMP policy DM4 which seeks to protect the countryside.

10.2. The report has shown compliance with a number of development management policies in respect of matters relating to the design of the proposals, the scheme's impact on neighbouring occupiers, highways matters, pollution, trees and ecology and flooding and drainage. These matters are not benefits as such and should be held in neutral weight in the overall planning balance.

10.3. There are a number of social and economic benefits arising from the scheme including the provision of up to ten new jobs and further securing the existing jobs in the store through modernising the store and improving its customer offering. There are also economic benefits arising from the retail investment in Hinckley and the potential for linked trips by shoppers to other nearby businesses. Economic benefits will arise during the construction phase of the development when considering employment in construction albeit temporary and short-term. Together the social and economic benefits are held in significant weight.

10.4. The significant social and economic benefits arising from the scheme are not significantly and demonstrably outweighed by the limited harm arising from the minor policy conflict with SADMP policy DM4. The development proposals are considered to constitute sustainable development and planning permission should be granted.

11. Recommendation

11.1 **Grant planning permission** subject to the following **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:

- Site Location Plan (ref K22A02-P001)
- Existing Site Plan (ref K22A02-P002A)
- Proposed Site Plan (ref K22A02-P003C)
- Existing Floor Plan (ref K22A02-P199A)
- Proposed Floor Plan (ref K22A02-P200A)
- Existing Elevations (ref K22A02-P201A)
- Proposed Elevations (ref K22A02-P202A)
- Existing Roof Plan (ref K22A02-P203A)
- Proposed Roof Plan (ref K22A02-P204A)
- Existing Site Sections (ref K22A02-P299)
- Proposed Site Sections (ref K22A02-P300A)
- Lighting Plan Drawing (Ref P186-995-A)
- Drainage Strategy prepared by 3eHydrock
- Swept path analysis 17058 - TR001 Rev D
- Acoustic Timber Fence ref AD5305
- Phase 1 Geo-Environmental Assessment prepared by 3eHydrock Phase 2 Geo-Environmental Assessment prepared by 3eHydrock (1 Oct 23)
- Noise Impact Assessment prepared by Noise Solutions Ltd Detailed Landscape Plan ref MEL-564-001 P3
- Arboricultural Impact Assessment prepared by Middlemarch
- Preliminary Ecological Appraisal prepared by Middlemarch
- Bat Survey prepared by Middlemarch
- Dusk Emergence & Dawn Re-entry Bat Surveys August 23

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the details contained on drawing K22A02 - P202 Rev A and shall be retained thereafter

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the

adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The premises shall not be open to the public outside the following times:- 08:00 - 22:00 Monday - Saturday (including public and bank holidays) 10:00 - 16:00 Sunday

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Construction work arising from the development hereby permitted shall not take place other than between the hours of 07:30 hrs and 18:00 hrs on weekdays and 08:00 hrs and 13:00 hrs on Saturdays. Construction shall not take place at any time on Sundays and Public Holidays unless otherwise agreed in writing.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. Prior to the commencement of development, including any demolition or vegetation clearance, there shall first be submitted to and approved in writing a Construction & Environmental Management Plan (CEMP). The CEMP should set out measures to ensure that the adjacent Local Wildlife Site and other habitats of ecological sensitivity are adequately protected from construction activities. A list of the items to be included is provided within Section R3, Page 26 of the Preliminary Ecological Appraisal (PEA) completed by Middlemarch in July 2023. In addition the CEMP shall include a Reasonable Avoidance Measures Method Statement (RAMMS) to ensure best working practices are adhered to in relation to badger, otter, and hedgehog in the event that they access the site during construction activities. The development thereafter shall be carried out in accordance with the approved details..

Reason: In order to protect the Local Wildlife Site and other habitats of ecological sensitivity from construction activities Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and the advice contained in the NPPF.

7. Vegetation clearance and building works shall be undertaken outside of the nesting bird season. The nesting bird season is weather dependent but generally extends between March and September inclusive (peak period March-August). If this is not possible then any vegetation to be removed or disturbed or any building impacted should be checked by a suitably qualified ecologist for nesting birds immediately prior to works commencing, thereafter, no vegetation shall be removed or disturbed or any building impacted prior to agreement from the qualified ecologist.

Reason: To protect breeding birds in accordance with Policy DM6 of the Site Allocations and Development Management Policies DPD 2016 and the advice contained in the NPPF.

8. If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land

contamination is submitted in writing to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the first use of the premises.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. The development hereby permitted shall not be occupied/used until such time as the parking, cycle parking and turning facilities have been implemented in accordance with Stoas Architects drawing number K22A02 - P003 Rev C. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction), to promote travel by sustainable modes, in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

10. The development hereby approved by this permission shall be carried out in accordance with the submitted Flood Risk and Drainage Impact Assessment prepared by Hydrock Consultants dated June 2023.

Reason: To prevent any increase in flood risk, maintain the existing surface water runoff quality and to prevent damage to the final water management systems through the entire development construction phase in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies DPD.

11. The scheme hereby permitted shall not be occupied or used until the acoustic fence shown AD5305 has been constructed on the site's eastern boundary.

Reason: To minimise disruption to the neighbouring residents in accordance with Policy DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).