



**Melton
Borough
Council**

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Planning Committee

19 August 2021

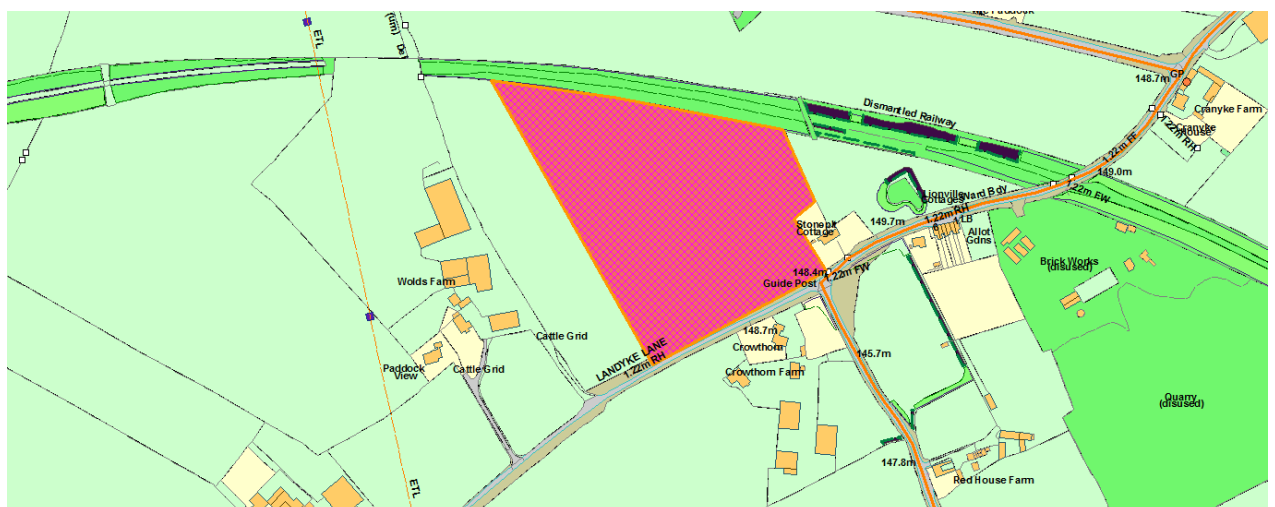
Report of: Assistant Director for Planning and Delivery

20/01107/FUL Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping at Land East of Wolds Farm, Landyke Lane, Scalford.

Applicant: Three Shires Limited

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| Corporate Priority: | Delivering sustainable and inclusive growth in Melton |
| Relevant Ward Member(s): | Councillor Alan Hewson (Croxton Kerrial) |
| Date of consultation with Ward Member(s): | 5 November 2020 |
| Exempt Information: | No |

1 Summary



Planning Report

20/01107/FUL Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping at Land East of Wolds Farm, Landyke Lane, Scalford.

- 1.1 This application seeks full planning permission for the erection of a business unit including office and welfare space; associated access, car parking, drainage and landscaping on land to the east of Wolds Farm, Landyke Lane, Scaford.
- 1.2 The development would consist of an internal access road and parking area that would be accessed by an existing and improved access point on Landyke Lane as well as significant level of soft landscaping throughout the site. The proposed building is considerably large in size and scale and would sit centrally in the plot. Residential properties sit to the east and opposite to the south, with a farm to the west and open countryside to the north.



- 1.3 The site is screened by an existing hedgerow along the front of the site and a belt of trees to the rear. The site slopes gently from south-west to north-east.
- 1.4 Additional supporting information has also been provided during the course of the application regarding the nature of the proposed business unit as well as justification and information regarding the proposed businesses current location.

RECOMMENDATION(S)

1. It is recommended that the application is approved, subject to the conditions set out in Appendix C

2 Reason for Recommendations

- 2.1 The proposal is considered acceptable as employment development under Policy EC2 of the Melton Local Plan as the proposals consists of a rural employment development that would create and safeguard jobs and would involve the expansion of an existing rural business.
- 2.2 As a result of the scale, siting and design, subject to the imposition of conditions, the development would be sympathetic to the character of the area and would not result in significant adverse impacts upon the character of the area, neighbouring residential amenity or highway safety.
- 2.3 The proposed development would therefore accord to the relevant policies of the Melton Local Plan.

3 Key Factors

3.1 Reason for Committee Determination

- 3.1.1 The application poses planning considerations which are considered (in consultation with the Chair of Planning Committee) is likely to raise matters which should be referred to the Planning Committee.

3.2 Relevant Policies

- 3.2.1 The Melton Local Plan 2011-2036 was adopted on 10th October 2018 and is the Development Plan for the area.
- 3.2.2 No inconsistency with the NPPF has been identified that would render Local Plan policies 'out of date'
- 3.2.3 There is no made or emerging Neighbourhood Plan for Eaton Parish within which the site lies.
- 3.2.4 Please see Appendix D for a list of all applicable policies.

3.3 Main Issues

- 3.3.1 The main issues presented by the application are considered to be:
- Principle of development, impact upon the character of the area and climate change
 - Impact upon Residential amenities
 - Impact upon highways and parking
 - Impact upon ecology
 - Impact upon archaeology
 - Impact upon drainage

4 Report Detail

4.1 Principle of Development and Impact upon the Character of the Surrounding Area and Climate Change

- 4.1.1 The site lies within open countryside, detached from the nearest settlements of Long Clawson and Scalford.
- 4.1.2 Policy SS2 of the Melton Local Plan states that outside of the settlements identified as Service Centres, and those villages identified as Rural Hubs and Rural Settlements, new

development will be restricted to that which is necessary and appropriate in the open countryside.

4.1.3 Policy EC2 of the Melton Local Plan relates to Employment Growth in the Rural Area (Outside Melton Mowbray) and states that in order to support the rural economy, the Council will allow for:

A) new employment land to be provided in rural settlements; and/or;

B) rural employment proposals which create or safeguard jobs.

The following types of rural employment development are acceptable:

1. The re-use of existing farm buildings and well-designed new buildings for employment;
2. Schemes for farm diversification involving small-scale business and commercial development that help to support the viability and retention of the farm holding;
3. Small-scale tourism proposals, including visitor accommodation, such as glamping, camping and bed & breakfast;
4. The expansion of existing rural businesses, dependent upon the nature of the activities involved, the character of the site and its accessibility;
5. Small scale employment development to meet local needs; and
6. The use of land for agriculture, forestry and equestrian activity. Subject to the proposal being of an appropriate scale for its location, having sufficient accessible off road car parking provided on site or in the nearby vicinity to cater for the use proposed.

4.1.4 The submitted planning statement states that notice has been served on the applicants, Three Shires Limited, which requires the business to vacate their current premises and identify a suitable new location.

4.1.5 The applicant's current operations requires the premises to be located within the rural area due to the work that is undertaken including for example ecology appraisals, fencing construction projects, tree management and Arboricultural investigations including the associated machinery and rural equipment that is required to undertake this work. The submission states that given the nature of the business, a rural location is required and provision of a bespoke new business would be the most appropriate proposal instead of a conversion an existing building.

4.1.6 The applicant currently occupies agricultural premises and are a company that specifics in ecological, landscaping, forestry and habitat creation as well as an agricultural land management specialist. Although the proposal is for a business development, given the predominantly agricultural and rural activities and nature of work being undertaken, and that the development would result in the expansion of an existing rural business.

4.1.7 Policy EC2 states that in order to support the rural economy, the Council will allow for rural employment proposals which create or safeguard jobs (point B). It should be noted that the site of the applicant's existing location is also nearby, within a countryside setting and the provision of a new building would enable the applicant to remain within the Borough of Melton, and thereby safeguarding jobs.

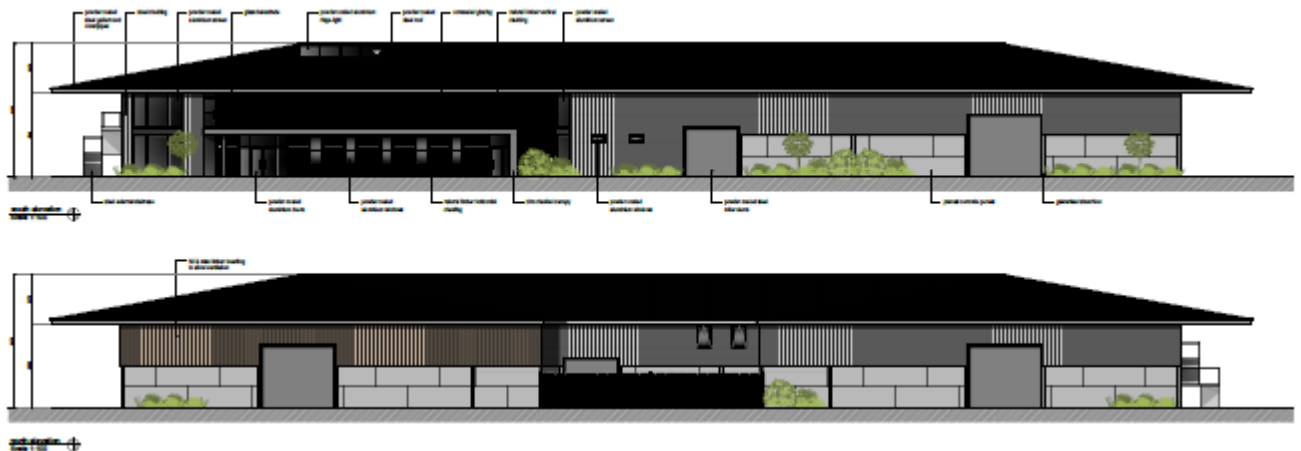
4.1.8 Policy EC2 goes on to state that certain types of rural employment development are acceptable, including point 4 which states that the expansion of existing rural businesses is acceptable subject upon the nature of the activities involved, the character of the site

and its accessibility. First and foremost it is considered that the proposed development would support the expansion of the existing rural business albeit in a different location to existing. And due to the nature of the activities involved, being predominantly related to rural activities, the proposal use would be considered acceptable in this location. A business expansion statement has been submitted in support of the application.

- 4.1.9 The proposal submitted is considered to be a unique application, and given the nature of the applicant's existing situation and their activities it is considered that by permitting this application it would not lead to the provision of other additional large scale employment developments within the open countryside by virtue of precedent. To ensure that the site itself, if the applicants were to leave the site, would not become unsuitable for its use, a condition can be imposed removing permitted development for the change of use of the building in the future.
- 4.1.10 Point 1 of Policy EC2 states that well-designed new buildings for employment would be an acceptable type of rural employment. The submission to an extent has been designed to accommodate specifically to the applicant's requirements for a mix of offices and storage areas for their equipment. In addition, at the time of the application being submitted, a search of available properties and locations was undertaken to assess and review whether any existing buildings were available that would be suitable and cater for the applicant's requirements. The planning statement identifies 17 properties within the 10 mile radius of Melton Mowbray however all of which would fail to meet the requirements for the applicant's location either due to a number of reasons including the site's not being of a sufficient size to appropriately accommodate the scale of property required to meet the applicants business needs. As such, the suitability and availability of the application site as a suitable location is a key consideration given the searches undertaken in respect of alternative sites.
- 4.1.11 In relation to the other factors of Policy EC2, the development must be of an appropriate scale for its location and have sufficient accessible off road car parking provided on site or in the nearby vicinity to cater for the use proposed.
- 4.1.12 Policy D1 of the Melton Local Plan also ties in here with requiring development to be suitably sited and designed sympathetically so as not to impact upon the character of the area and to utilise the existing trees and hedges together with new landscaping and make adequate car parking provision.
- 4.1.13 Policy EN1 of the Melton Local Plan states the character of Melton Borough's landscape and countryside will be conserved and, where possible, enhanced by ensuring new development is sensitive to its landscape setting and it seeks, where possible, to enhance the distinctive qualities of the landscape character areas (as defined in the Landscape Character Assessment) and requiring new developments to respect existing landscape character and features. Proposals will be supported where they do not have an unacceptable adverse effect upon important landscape features including distinctive topography, important trees, hedges and other vegetation features, important views, approaches and settings.
- 4.1.14 The size of the proposed development, although relatively large, has been designed specifically to accommodate the applicant's requirements and needs. The proposal would sit centrally in the plot with an eaves height of approximately 6 metres and a ridge height of approximately 8.2 metres. There are a number of large scale, in both size and height, agricultural buildings located immediately to the west of the site at Wolds Farm and in the

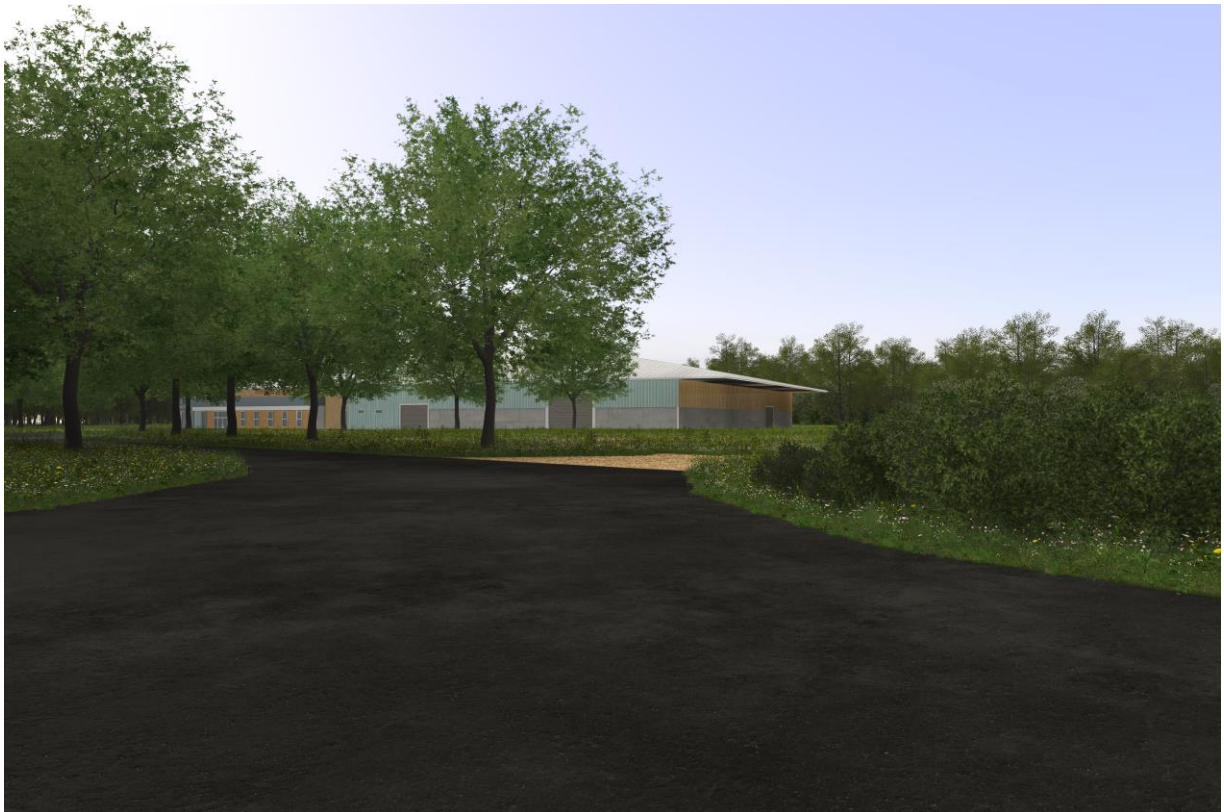
surrounding landscape. As such the height of the proposed building is not considered to significantly be out of character or unduly prominent within the context of the existing large scale buildings which are adjacent to the site.

- 4.1.15 The proposed development is to be sited within the centre of the site although closer to the Northern Boundary which would ensure that the building is set back within the site. By virtue of its siting, the proposal would not project further forward than the existing agricultural buildings to the west and therefore the prominence of the development would be reduced.
- 4.1.16 The application site sits between the adjacent farm buildings to the west, a residential dwelling and farm buildings to the south and residential properties to the east. As such, the site is only bounded by open countryside to the north and would to an extent neatly fit in with the existing adjacent built form and would not result in a building that would appear stand alone or stark given the nature of the sites relationship with the adjacent land uses.
- 4.1.17 In addition, the proposed building would have a simple and shallow pitched dual pitched roof which would ensure the height of the building is reduced as much as possible and thus again the prominence of the building would be reduced and would be read in the context of the adjacent farm buildings.
- 4.1.18 In respect of materials, it is proposed to construct the building with a mix of precast concrete panels and natural timber and steel cladding with a steel roof. By virtue of the mix of materials which would ensure that there is not an expanse of one material and the external elevation is broken up so as to remove any potential massing impacts of the development. In addition, agricultural – style and rural materials are proposed across the development which would again help to assimilate the building into its surroundings.



- 4.1.19 The site slopes gently down from the south west to the north east and the site sits generally in an elevated position within the context of the surrounding area with levels dropping significantly further to the north of the site. Although the site is elevated, levels have been provided to ensure that the building is sited as low as possible. Notwithstanding this, the proposed scale and height of the building as discussed above would not be considered to be significantly or adversely prominent within the context of the adjacent farm buildings. When the proposal is viewed from further afield to the north or south, the building is not easily visible given the existing buildings adjacent to the site and the existing screening reducing the visibility of the development. In addition the building would be considered to be read in the context of the adjacent buildings and as such not appear significantly out of character.

- 4.1.20 A landscape visual impact assessment has been submitted which concludes that the Site's relationship with its landscape setting is strongly influenced by the character of the surrounding agricultural landscape, and the strong presence of the wooded dismantled railway to the north. The visual impact assessment concluded that the visual envelope of the Site is relatively well contained by the mature vegetation along the Site's northern and eastern boundaries, along with the presence of woodland and field boundary hedgerows within the wider landscape setting. The assessment concluded that the proposed development can be accommodated within this setting, on both landscape and visual terms, through the implementation of a robust and successful mitigation scheme.
- 4.1.21 As stated above, the site benefits from existing hedgerow screening to the front boundary and an expansive belt of trees to the rear, northern boundary. The application has been supported by an extensive landscaping scheme which proposes the following:
- The existing mature hedgerow along the Site's southern boundary will be maintained and additional hedgerows trees will be planted along this boundary
 - New lines of native oak trees flanking the internal driveway, to create an avenue character, which would provide an attractive entrance feature and wildlife habitat
 - A wide belt of mature broadleaf woodland along the Site's western boundary, and extended along part of the Site's southern boundary to provide an additional wildlife corridor and expanded habitat area
 - Strengthening of weaker section of the Site's eastern boundary with additional planting of native shrubs
 - Provision of a 10 metre wide habitat buffer along the Site's eastern boundary, to assist in screening the development from the existing residential property and create further wildlife interest
 - The creation of a SUDs pond in the Site's south-western corner which is to be set within an area of mixed shrub planting to create a mosaic habitat area
 - The provision of a pond, with marginal vegetation planting, in the Site's north-western corner – creating further wildlife interest
 - Upgrading of the remaining arable land to a wildflower meadow to create visual interest and contribute to biodiversity net gain; and
 - The installation of additional bat and bird boxes, an artificial badger sett and barn owl boxes.
- 4.1.22 The access drive is to be hard surfaced given the nature of vehicles that will be using the access however the parking area for the staff is proposed as a grass paver system to reduce the prominence of the parking area as much as possible. Overall, given the significant level of soft landscaping features proposed, this is considered to reduce the visual impact of the proposal and positively assimilate the building within the sites setting in the countryside. Overall it is considered that the development would be acceptable in the context of the surrounding area and would not be considered to significantly impact upon the character of the area or the wider countryside. A number of existing and proposed visuals have been provided to show the development and the significant level of landscaping being proposed.



4.1.23 Lighting is proposed however this is low level lighting that is considered acceptable so as not to disrupt the rural tranquillity of the site. Lighting would not have an upward lighting ratio of more than 2.5%. Given the siting, it is considered necessary and reasonable to

ensure that any future buildings would require planning permission, thus a condition is recommended removing the erection of new buildings or extension of existing building under permitted development rights which may result in impacts upon the character of the area and highway safety.

- 4.1.24 Full considerations in respect of highway safety and off street parking is considered further in the section below.
- 4.1.25 It is also recommended to ensure that the site remains as a business unit use only, permitted development is recommended to be removed which would allow the site to change use. This is to ensure that appropriate consideration can be had in regard to any other uses and the associated impact this may have on the character of the area.
- 4.1.26 The proposed building is sited approximately 400 metre from the Grade II listed Cranyke Farmhouse which is located to the east of the site. Given the nature of the development and separation distances, it is considered that the proposal would have a neutral impact upon the setting of the listed building.
- 4.1.27 It should also be noted at this point the proposed development's credentials in respect of climate change and low carbon development. The planning statement states that the position, orientation and design of the proposed structure is such that opportunities to maximise natural sunlight would be utilised; whilst the scheme would also utilise solar energy (Photovoltaic) energy generation as one of the primary sources of energy provision. Alongside solar energy, it is proposed that energy used on the site would maximise potential generation from woodchip heating and a biomass boiler; any additional energy generated from these sources will be entered into the National Grid. Furthermore, in order to reduce demand on water resources, the proposal would also utilise rainwater harvesting techniques, as appropriate.
- 4.1.28 Overall, the development is considered to assimilate into the context of the surrounding area and not adversely impact upon the character of the area within which it sites.
- 4.1.29 The development is therefore considered to comply with provisions and criteria of Policies EC2, EN1, EN9 and D1 of the Melton Local Plan.
- 4.1.30 Policies of the Clawson Hose and Harby NP cannot be applied to development as it is outside its designated area.

4.2 **Impact upon residential amenities**

- 4.2.1 There site is bound by residential properties on three sides of the site, all except the northern boundary. However, as the proposed building is sited centrally in the plot, it is not considered that the building itself would result in adverse impacts upon these neighbouring residential properties in respect of overbearing, loss of light or overlooking.
- 4.2.2 Stonepit Cottage immediately bounds the site on the eastern boundary however the existing boundary between the site and Stonepit Cottage will be strengthened by the planting of native woody shrubs and a 10 metre habitat buffer which help alleviate any impacts from the building or from vehicle lights from the car park which is sited in the south eastern corner of the site.
- 4.2.3 Again lighting from the building and the car park area itself has been revised so as to ensure that adverse impacts resulting from external lighting is not significant to warrant refusal, indeed the Environmental Health Officer has raised no objections in this respect. It

is also not considered that there would be significant noise impacts arising from staff vehicles within the car park, however other noise impacts are assessed below.

- 4.2.4 The main concerns raised in respect of the residential amenity of Stonepit Cottage, Wolds Farm to the west and Crowthorne to the south is in relation to noise and disturbance from heavy goods vehicles and machinery movements. A noise assessment has been submitted for consideration and this has been reviewed by the Environmental Health Officer.
- 4.2.5 Concerns were initially raised in respect of the noise assessment being unsatisfactory to demonstrate that there would not be an unacceptable level of noise disturbance upon the adjacent residential properties, however further discussions were held between the applicant and the Environmental Health Officer which in turn resulted in a number of conditions being recommended to ensure that there would be mitigation measures in place to minimise adverse noise impacts. It is also recommended that a revised noise assessment is submitted for consideration and subsequent approval.
- 4.2.6 In order to minimise noise disturbance to the occupiers of adjacent residential property, it is also recommended to condition construction work and deliveries to the site to take place only between certain times. As such, subject to appropriate mitigation measures to be secured by condition through a revised noise assessment, it is considered that the development would not result in adverse noise impacts upon the adjacent residential properties.
- 4.3 **Highway Safety**
- 4.3.1 The application has been supported by a Transport Statement, a Road Safety Audit and an Updated Highway Statement and Visibility Drawing.
- 4.3.2 An existing field access from Landyke Lane is to be improved and increased to provide a 6.75metre wide access with a 10 metre junction radii. Landyke Lane is an adopted unclassified road, subject to the National Speed Limit (60mph). The proposed access width and radii is considered acceptable given the nature of the development and the Local Highways Authority (LHA) raise no objection to this however requested a satisfactory Stage 1 Road Safety Audit to be submitted.
- 4.3.3 Revised visibility splays of 2.4m by 60m to the east of the site access towards the Landyke Lane/Eastwell Road junction and of 2.4m by 178m to the west of the site access have been provided. Typically for a 60mph speed limit the LHA expect vehicular visibility splays of 2.4 by 215m. The visibility splay east of the site access is up to the junction and therefore cannot be extended, however this is acceptable given the reduced speeds of approaching vehicles having negotiated the junction.
- 4.3.4 If a 215m splay was not achievable, then a speed survey would need to be undertaken to establish the recorded speed and hence consider whether a splay can be provided in accordance with Table DG4 of the LHA Design Guidance. Additional supporting information was submitted by the application considering visibility splays and that on the basis that speed surveys cannot currently be undertaken due to the Covid 19 pandemic, the Applicant has ascertained that the achievable visibility splay to the west is 178m and then considered whether this visibility splay is acceptable for the design speed of the route.

- 4.3.5 In accordance with Table DG4 of the Leicestershire Highway Design Guide document, this splay would only be considered appropriate for 85th percentile vehicle speeds of up to 53 mph and not 60 mph. However, the Applicant has stated that, 'Whilst Landyke Lane is subject to a speed limit of 60mph, the carriageway to the west of the site is generally less than 3.5m wide, with eastbound traffic having to travel on an uphill gradient and negotiate a slight right hand bend at the end of the 178m splay. We therefore consider that it would be unrealistic and unreasonable to expect the design speed of the route to be equivalent to the 60mph speed limit'. The Applicant has also calculated Stopping Site Distances (SSD) which demonstrates a minimum splay of 171m would be required for 85th percentile speeds of 55 mph.
- 4.3.6 The LHA have reviewed the submitted information, including the nature of the road and the fact that there have been no personal injury collisions in the local vicinity, and as such the LHA consider the visibility splay of 178m to the west of the site access to be acceptable in principle subject to a satisfactory Stage 1 Road Safety Audit and Designer's Response.
- 4.3.7 A Stage 1 Road Safety Audit was then submitted where the Stage 1 Road Safety Audit Team were unable to identify any items of concern pertaining to road safety with regard to the proposed access works.
- 4.3.8 Vehicle tracking was undertaken and shows an articulated lorry entering the site from the north east and exiting the site back to the north east. Due to the single-track carriageway width to the west of the site, the applicant proposed to impose a restriction on any deliveries/collections as to ensure that the vehicles enter and egress the site from the Landyke Lane/Eastwell Road junction. The LHA consider that the access would be able to accommodate the manoeuvrability of an articulated lorry. As such, the LHA consider a safe and suitable access can be achieved at the site in respect of the width, radii, tracking and visibility splays.
- 4.3.9 In respect of trip generation, existing operations associated with the application will remain similar upon relocation and therefore, no significant additional vehicle movements are anticipated upon the highway network. The LHA have reviewed the vehicular trips associated with the proposed development and consider that any change in trips using the minor roads on the surrounding highway network as a result of the relocation of the existing business Three Shires Ltd, will not have a significantly adverse (or severe) impact on the public highway network.
- 4.3.10 A total of 38 vehicle parking spaces are proposed for the development. 36 vehicle spaces are to be provided for staff and 2 spaces for visitors. A total of 4 cycle spaces are also to be provided. Overall it is considered that the parking provision is acceptable as there is one space per employee but two accessible spaces should be provided in accordance with Table DG12, Part 3 of the LHDG and this is to be secured by condition.
- 4.3.11 A construction traffic management plan is recommended to be submitted prior to commencement of development. As such, the development is considered to be in accordance with the relevant policies of the Melton Local Plan in respect of highway safety and parking, subject to conditions.

4.4 Ecology

- 4.4.1 The application has been supported by a Landscape And Visual Impact Appraisal, Bat Survey Report, Preliminary Ecological Appraisal and Reptile Survey Report. Overall, as

discussed above, a significant level of landscaping is being proposed throughout the site and the implementation of the proposed strategy would greatly enhance the habitat diversity on site and would appropriately enhance the natural and local environment by delivering a significant biodiversity net gain.

- 4.4.2 The ecology survey reports are satisfactory and no evidence of protected species was recorded, and as the site is dominated by arable land the construction area is of low to negligible value. The existing boundary vegetation is to be retained.
- 4.4.3 As such, no significant impact or concern is raised in respect of biodiversity matters given the significant landscaping scheme and ecology strategy that is proposed. Conditions are recommended including the production of a Landscape and Ecological Management Plan in order to ensure the establishment of the proposed habitats and their long-term management. LCC Ecology raise no objection subject to the imposition of conditions.
- 4.5 **Archaeology**
- 4.5.1 The application site is located within an area of post-medieval industrial activity and within the wider environment there is also pre-historic and roman evidence and there is therefore the potential for well-preserved remains within the site, however there is likely to be some disturbance close to the railway.
- 4.5.2 As such, it is not considered that the development would result in significant adverse impacts in respect of archaeology matters subject to condition requiring an appropriate programme of archaeological mitigation, including as necessary intrusive and non-intrusive investigation and recording.
- 4.6 **Flood Risk/Drainage**
- 4.6.1 The application site is within Flood Zone 1 (low risk of fluvial flooding) and at low risk of surface water flooding. The surface water proposals seek to discharge to an onsite attenuation basin before being discharged at a rate of 4 l/s to a nearby watercourse.
- 4.6.2 The layout of the surface water drainage system have been provided, together with storage calculations, a Flood Risk Assessment and Drainage Strategy and details demonstrating that the ditch into which the surface water is to outfall is in a suitable condition to accept the additional flows without increasing flood risk should be provided.
- 4.6.3 As such, no concern is raised in respect of drainage matters or adverse flooding impacts subject to conditions. The Lead Local Flood Authority and Environment Agency raise no objections.

5 Consultation & Feedback

- 5.1 A site notice and press notice was posted and neighbouring properties consulted
- 5.2 9 letters of support have been received from 7 separate addresses
- 5.3 2 letters of public representation from 2 separate addresses neither objecting nor supporting
- 5.4 7 letters of objection received from 7 separate addresses
- 5.5 1 anonymous letter of objection

6 Financial Implications

- 6.1 None

Financial Implications reviewed by: N/A

7 Legal and Governance Implications

7.1 No specific issues are identified. The application is being considered by the Committee and legal advisors will also be present at the meeting.

Legal Implications reviewed by: Tom Pickwell (Solicitor)

8 Background Papers

8.1 None

9 Appendices

Appendix A – Consultation Responses

Appendix B – Representations Received

Appendix C – Recommended Planning Conditions

Appendix D – Applicable Development Plan Policies

Appendix E – Site Photographs

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|---------------------------------------|--|
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| Report Author Contact Details: | 01664 502474 ancunningham@melton.gov.uk |
| Chief Officer Responsible: | Jim Worley , Assistant Director for Planning and Delivery |
| Chief Officer Contact Details: | 01664 502359 jworley@melton.gov.uk |

Appendix A : Summary of Statutory Consultation Responses

Eaton Parish Council

The Parish Council have no comments to make on this application.

Clawson, Hose and Harby Parish Council

The Parish Council objects to this application as it conflicts with Policy E2 of the Clawson, Hose and Harby Neighbourhood Plan, which states

E2 – ATTRACTING NEW BUSINESS

- a) the proposal is, where possible, sited in existing buildings or on areas of previously developed land;
- b) the proposal is of a size and scale appropriate to its rural location and not adversely affecting the character and environment of the village itself; and
- d) the proposal would not increase noise levels or introduce unacceptable levels of pollution or traffic (including HGV movement through the villages); and
- e) the proposal would be well integrated within any existing adjacent business premises and complement them in character and appearance.

It is understood by the Parish Council that there are other, more suitable sites that are allocated for industrial development in the Melton Local Plan which would be better connected to the road systems with improved security.

An industrial unit of this size and scale is not appropriate to the proposed rural location and character of the area and would introduce unacceptable levels of traffic on a single-track road, which is already used by agricultural vehicles from neighbouring farms. It is also felt that this would increase noise levels and therefore have a detrimental effect on the amenity of the neighbouring properties.

Scalford Parish Council

The amended information recently supplied was discussed by the Parish Council at a recent meeting and it was noted the title of the application has changed from "Erection two agricultural barns etc" to "Erection of business unit etc" which in the view of the Parish Council changes the way the application should be looked at. The location is not conducive with a business unit/units which would no doubt increase traffic flows an agricultural barn for a rural business is one thing this is another and with the height proposed having not altered it is of concern in an open countryside. The Parish Council therefore object to this application

Ward Member

No comments received.

Cllr Steadman

I object on the following grounds:-

These proposed buildings are not part of a larger, established farming enterprise nor is the applicant a farmer. It is basically a "small" plot of land, bought by the applicant to build an "industrial" unit on.

From their own web site they state "Three Shires Ltd are specialist contractors to the Rail, Utilities, Highways, Construction and Civil Infrastructure sectors. For the last 20 years Three Shires has developed long standing relationships with the UK's leading construction contractors, House Builders, Civil Engineers, Developers, environmental and ecological consultants."

This does not fit with an agricultural holding or the requirement for permitted development rights.

This is a very large industrial building, set in open country side on a single track road on a greenfield site.

I believe Melton has allocated land in the Local Plan for industrial buildings. This does not meet Policy D1 or EC1 - the site is located in an area that can be easily accessed by public transport, walking and cycling and can be satisfactorily accessed by service and other employment related vehicles.

Building industrial units in rural areas, where the infrastructure and road systems are already overloaded as opposed to allocated land where the transport links and sustainability of the site is assured.

LCC Ecology

No objection subject to conditions.

LCC Archaeology

No objection subject to conditions.

LCC Highways

No objection subject to conditions.

MBC Environmental Health

No objection subject to conditions.

Environment Agency

No objection.

Historic England

Do not wish to offer comments.

Lead Local Flood Authority

No objection subject to conditions

Appendix B: Summary of representations received.

Support

- Great use - a rural company that employs over 70 people.

- Design looks good.
- Enabling development and positive enhancement of local environment.
- Company has a track record of working with and improving the environment.
- Would protect local jobs and local business.
- No more traffic than usual with only moving 1/2 a mile down the road.
- The type of building looks like an existing agricultural building which will fit in with the surroundings that are already there.
- Landscaping also look very wild life friendly

Object

- These proposed buildings are not part of a larger, established farming enterprise nor is the applicant a farmer.
- This is not indicative of an agricultural building but of an industrial, purpose built business unit.
- This is a very large industrial building, set in open country side on a single track road on a greenfield site.
- The Melton Local Plan has allocated land for industrial buildings of this scale and nature. This does not meet Policy D1 or EC1/EC2 - the site is located in an area that can be easily accessed by public transport, walking and cycling and can be satisfactorily accessed by service and other employment related vehicles which does not fit with the sustainability requirement of the NPPF.
- There is no regular bus service on Landyke Lane or Eastwell Road. It is open countryside.
- At a height of 9.5m and a square footage of 2,128 this is a massive building for a rural, single track road on a greenfield site in open countryside, totally inappropriate for this area.
- Cumulative effect of this traffic makes the junction with Eastwell Road hazardous at the best of times, adding onto this the machinery and vehicular movements from this site will compound this problem
- Sheer size and height of this building will be highly visible and overbearing to neighbouring properties.
- Associated noise impacts from the development.
- Adverse highway and pedestrian safety impacts
- There is plenty of sites in town on industrial estates where this business is better suited.
- If this application is granted it will open the door for similar business's to apply for permission to build in the open countryside

Public Representation

- Too much traffic already and cars vans lorries use the verges to pass each other.
- 60 meter splay which also indicate the removal of the hedge and gate which can be used to contain livestock.
- Encroaches on adjacent land

- Structure does not look like an agricultural building, more consistent to an industrial construction.
- The applicant is a contractor and will be using this site as a depot to distribute machines and materials all over the country and should therefore be rated as industrial not agricultural.

Appendix C : Recommended Conditions

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:

- 1 001 Site Boundary Plan

- 1 001 Site Location Plan

received by the Local Planning Authority on 18th September 2020

- 1443-01 Rev 1 Proposed Ground Floor Plan

- 1443-02 Rev 1 Proposed First Floor Plan

received by the Local Planning Authority on 7th October 2020

- 1443-04 Courtyard Elevations and Roof Plan

received by the Local Planning Authority on 5th November 2020

- A118029 SK01 Drainage Sketch

received by the Local Planning Authority on 9th November 2020

- 4600/01/20-3343 v4 Landscape Design Scheme

received by the Local Planning Authority on 19th November 2021

- 1443-03 Rev 2 Proposed Elevations

- 1443-05 Proposed Site Levels

received by the Local Planning Authority on 24th November 2020

- B026240-35-18-001B Visibility Drawing

received by the Local Planning Authority on 25th January 2021

- RT 26240_001 Flood Risk Assessment and Drainage Strategy

received by the Local Planning Authority on 19th February 2021

- 25860-04-ELIA-01 REV B - External Lighting Impact Assessment

received by the Local Planning Authority on 25th March 2021

- RT B026240_002 Drainage Ditch Report

received by the Local Planning Authority on 7th April 2021

Reason: To ensure a satisfactory form of development in accordance with Policies SS1, EC2 and D1 of the Melton Local Plan

3. No external storage of materials on the open area of the site shall take place until details of the location and maximum height of the external storage have been submitted to and approved in writing by the Local Planning Authority. The storage of materials on the open area of the site shall be sited and not exceed the height detailed within the approved details.
Reason: In the interests of visual amenity in accordance with Policies SS1, EC2 and D1 of the Melton Local Plan

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, no erection, extension or alteration of any building or warehouse shall take place on the site under or in accordance with Part 7 of Schedule 2 to that Order without full planning permission from the Local Planning Authority.
Reason: To protect the visual amenities of the locality and in the interests of highway safety, having regard to Policies SS1, EC2, IN2 and D1 of the Melton Local Plan

5. The premises shall be used for business purposes only; and for no other purpose (including any other purpose in Schedule 2 to the Town & Country Planning (General Permitted Development) Order 2015), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
Reason: To protect the visual amenities of the locality and in the interests of highway safety, having regard to Policies SS1, EC2, IN2 and D1 of the Melton Local Plan

6. The development hereby permitted shall not be occupied until such time as the access drive has been surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 5 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.
Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety in accordance with Policies SS1, EC2, IN2 and D1 of the Melton Local Plan and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

7. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.
Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Policies SS1, EC2, IN2 and D1 of the Melton Local Plan and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

8. The development hereby permitted shall not be occupied until such time as the access arrangements, visibility splays and parking and turning facilities as shown on approved drawing B026240-35-18-001 Rev B and approved drawing 4600/01/20-3343 v4 have been implemented in full. The parking facilities shall include 2 disabled parking spaces and onsite parking provision and access arrangements shall be so maintained in perpetuity. Visibility splays once provided shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/highway.
Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, 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 afford adequate visibility at the access to cater for the expected volume

of traffic joining the existing highway network, in the interests of general highway safety in accordance with Policies SS1, EC2, IN2 and D1 of the Melton Local Plan and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

9. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.
Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policies D1 and IN2 of the Melton Local Plan.
10. No development shall commence on site until all existing trees that are to be retained have been securely fenced off by the erection of post and rail fencing to coincide with the canopy of the tree(s), or other fencing as may be agreed with the Local Planning Authority, to comply with BS5837. In addition all hedgerows that are to be retained shall be protected similarly by fencing erected at least 5m from the hedgerow. Within the fenced off areas there shall be no alteration to ground levels, no compaction of the soil, no stacking or storing of any materials and any service trenches shall be dug and backfilled by hand. Any tree roots with a diameter of 5 cms or more shall be left unsevered.
Reason: In the interests of visual amenity in accordance with Policies D1 of the Melton Local Plan.
11. No development shall commence on site until details of all soft landscaping proposed on the completed development, including plant species, sizes and densities is submitted to and approved in writing by the Local Planning Authority. The details shall include native species to be used for planting in the northern corridor and SUDs feature and the scheme shall also indicate and specify all existing trees and hedgerows on the land which shall be retained, together with their root protection areas.
Reason: In the interests of visual amenity in accordance with Policies D1 of the Melton Local Plan and Policies H1 and H2 of the Clawson, Hose and Harby Neighbourhood Plan and in order to protect and enhance the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy EN2 of the Melton Local Plan.
12. The approved landscaping scheme and any biodiversity enhancement features shall be maintained in accordance with a Landscape and Ecological Management Plan (LEMP) which shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development in order to ensure the establishment of the proposed habitats and their long-term management. The LEMP shall include details of the proposed planting which consist of locally native species only.
Reason: In order to protect and enhance the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy EN2 of the Melton Local Plan.
13. The development shall be carried out in full accordance with the Mitigation for Pipistrelle Bats measures contained within Section 7.1 of the submitted Bat Survey Report (Three Shires Ltd, 10/09/2020) received by the Local Planning Authority on 20th October 2020.
Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy EN2 of the Melton Local Plan.

14. The development shall be carried out in full accordance with the Habitat Creation and Enhancement Proposals contained within Section 5 of the submitted Ecological Appraisal (Three Shires Ltd, 10/09/2020) received by the Local Planning Authority on 20th October 2020.
Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy EN2 of the Melton Local Plan.
15. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by the Local Planning Authority.
Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in accordance the National Planning Policy Framework 2019.
16. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority.
Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase, in accordance with and the National Planning Policy Framework 2019.
17. No occupation of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the Local Planning Authority.
Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development, in accordance with and the National Planning Policy Framework 2019..
18. No demolition/development shall take place/commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and;
- The programme and methodology of historic building survey and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
 - The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI
- Reason:** To ensure satisfactory archaeological investigation and recording in accordance with Policy EN13 of the Melton Local Plan.
19. Notwithstanding the submitted details and prior to the commencement of development, a revised noise assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The revised noise assessment shall include the following noise mitigation measures
- Other than employee vehicles and vehicles under the applicant's direct control, no third party commercial vehicles shall access or egress the site between the hours of 23:00 and 07:00, daily.

- Other than the collection of site based vans and vehicles for off-site deployment, no other commercial activities shall occur on site between the hours of 23:00 and 07:00, daily. This shall include the workshop; the loading, unloading and storage of materials; the telehandler, fork lift truck or similar in-house vehicles, the jet wash.
- The workshop shutter doors shall remain closed at all times whilst power tools are in use. This shall include the bench grinder, grinder, welder, chop saw and plasma cutter.
- The wood chip drying plant shall have a rated noise level of no more than 36dBA & 38dBA during the day (07:00 -23:00) and night (23:00-07:00) respectively at any noise sensitive receptors. This shall including character corrections. The rated noise level is defined by British Standard 4142.
- No audible reversing alarms shall be audible beyond the site boundary between the hours of 23:00 and 07:00, daily.

Within the revised noise assessment, the wood chip drying plant shall be subject to an additional noise assessment.

The mitigation measures stated within the approved revised noise assessment shall be adhered to in perpetuity.

Reason: To secure the satisfactory development of the site and no adverse impact upon residential amenity of neighbouring properties, in accordance with Policy D1 of the Melton Local Plan

20. No external related construction activities including deliveries shall take place outside the hours of 07:00 to 19:00 Mondays to Fridays or between 08:00 to 13:00 hours on Saturdays. No such operations shall take place at any time on Sundays or Bank/Public Holidays.

Reason: To secure the satisfactory development of the site and no adverse impact upon residential amenity of neighbouring properties, in accordance with Policy D1 of the Melton Local Plan.

Appendix D : Applicable Development Plan Policies

Melton Local Plan

- Policy SS1 Presumption in Favour of Sustainable Development
- Policy SS2 Development Strategy
- Policy D1 Raising the Standard of Design
- Policy EN1Landscape
- Policy EN2 Biodiversity and Geodiversity
- Policy EN9 Ensuring Energy Efficient and Low Carbon Development
- Policy EN11 Minimising the Risk of Flooding

- Policy EN12 Sustainable Drainage Systems
- Policy EN13 Heritage Assets
- Policy EC2 Employment Growth in the Rural Area (Outside Melton Mowbray)
- Policy IN2 Transport, Accessibility and Parking

Appendix E : Photographs of the Site





Planning Report

20/01107/FUL Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping at Land East of Wolds Farm, Landyke Lane, Scaford.



Planning Report

20/01107/FUL Erection of business unit including office and welfare space associated access, car parking, drainage and landscaping at Land East of Wolds Farm, Landyke Lane, Scaford.