

Reference: 17/00596/FUL
Date submitted: 16 May 2017
Applicant: Friars Well Farm Business Park – Mr G Johnson
Location: Friars Well Farm North Drive Wartnaby
Proposal: Construction of 3 commercial buildings for B1 and B8 uses, associated access delivery turning areas and landscaping



Proposal :-

This application is for full planning permission for the construction of 3 independent commercial buildings for B1 and B8 uses, measuring 24.6 metres by 46 metres floor area. Total floor space 3395 square metres. The 3 buildings will be sited next to each other with gables facing south outwards the access road. There will be 12.2 metres gaps between them to allow for rear accessed and staff parking. The buildings each measure 4.57 metres to eaves and 6.9 metres to ridge.

Mature planting exists around the boundaries of the site, this will be retained and maintained as part of the proposal. Planting is already between 4 and 9 metres in height. A 30 metre wide mature tree belt will be maintained along the northern boundary. A 10 metre wide mature tree belt will be proved along the eastern boundary.

The elevations will have mellow red facing bricks for the first 2.4 metres above ground level and juniper green plastic coated metal sheeting above.

The proposal would utilise the existing access which already serves the site.

It is considered that the main issues for consideration of the application are:-

- **Application of Development Policies and NPPF**
- **Impact upon highways**

- **Impact upon character of area and Conservation Area**

The application is presented to Committee due to the level of representations received.

Relevant History:

Various planning history associated to the business site but none in respect of this parcel of land.

Planning Policies:-

Melton Local Plan (saved policies):

Policy OS2 - states that permission will not be granted for development outside town and village envelopes with some exceptions for agriculture, employment, recreation and tourism.

Policy BE1 - Siting and design of buildings: Allows for new buildings subject to criteria including the design harmonising with the surroundings, no adverse impact on neighbouring properties by loss of privacy or outlook, adequate space around and between buildings being provided and adequate access and parking arrangements being made.

Policy EM10 advises that outside of the town and village envelopes, the extension of an existing industrial or commercial site will only be permitted where:-

- A) The use cannot be accommodated within an existing building;
- B) There are no suitable alternative sites within a town or village envelope
- C) The proposed development is small in scale;
- D) The form, scale, design and construction materials of the proposed development minimises its impact on the surroundings;
- E) The proposal is in accordance with the other policies of the plan.

The National Planning Policy Framework was published 27th March 2012 and replaced the previous collection of PPS. It introduces a ‘presumption in favour of sustainable development’ meaning:

- approving development proposals that accord with the development plan without delay; and
- where the development plan is absent, silent or relevant policies are out -of- date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

The NPPF offers direction on the relative weight of the content in comparison to existing Local Plan policy and advises that whilst the NPPF does not automatically render older policies obsolete, where they are in conflict, the NPPF should prevail.

It also establishes 12 planning principles against which proposals should be judged. Relevant to this application are those to:

- proactively support sustainable economic development to deliver business and industrial units,
- promoting sustainable transport
- Supporting a prosperous rural economy

On Specific issues relevant to this application it advises:

Building a strong competitive economy

- Planning should encourage growth, not prevent it and should plan proactively to encourage economic growth
- The planning system does **everything it can** to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth.
- **Significant weight** should be given to the need to support economic growth

Sustainable Transport:

- Safe and suitable access to the site can be achieved for all people.
- Development should only be prevented or refused on transport grounds where the residual cumulative impacts of the development are severe.

Prosperous Rural Economy

- Support the sustainable growth and expansion of all types of business and enterprise in rural areas, both new buildings and conversions.

Consultations:-

Consultation reply	Assessment of Head of Regulatory Services
<p>Highway Authority: No objection, subject to conditions.</p> <p>The applicant has confirmed that the site is accessed off North Drive (a private drive) in Wartnaby which was constructed in 2005 and has a width of 6m for the first 20 metres and 9 metres control radii. The routing agreement requires all traffic visiting the business park to leave and enter via Six Hills Lane (or Salt Way as it is sometimes known) to avoid going through the villages of Wartnaby and Ab Kettleby.</p> <p>The site layout as shown on A.F & S.J Building Design Consultants drawing reference 1756-1 includes the provision for up to 36 staff car parking spaces. Depending on the final occupants of the proposed development this could be below the standards contained in the 6Cs Design Guide which could lead to on-street parking problems within the development. However the applicant has indicated there is some more space to provide further parking if required.</p> <p>Notwithstanding the comments above, the proposed development is to remain private and it is unlikely any parking issues would impact on the public highway as it is some distance away.</p> <p>On balance the CHA does not think that the proposed development will have a severe impact on the highway network in accordance with Paragraph 32 of the NPPF.</p>	<p>The proposal intends to utilise the existing access to the site.</p> <p>Whilst vehicle movements will no doubt be increased there are no reported capacity issues on the highways network and the Highway Authority has not objected to the proposal.</p> <p>The applicant has funded road direction signs which have been erected by the County Council. These signs direct traffic generated by the Business Park away from Ab Kettleby and Wartnaby Villages and require vehicles visiting and leaving the Business Park to do so directly from the Salt Way. A legal agreement requires the applicant to inform new tenants of the route into and out of the park before they occupy the commercial buildings.</p> <p>Taking account of all of these issues it is not considered that a highway reason for refusal can be substantiated in this instance.</p>

<p>Condition</p> <p>The development hereby permitted shall not be occupied until such time as off street car and HGV parking provision (with turning facilities) has been provided and hard surfaced in accordance with A.F & S.J Building Design Consultants drawing number 1756-1. Thereafter the onsite parking provision shall be so maintained in perpetuity.</p> <p>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) in the interests of highway safety and in accordance with Paragraphs 32 and 35 of the National Planning Policy Framework.</p>	
<p>MBC Conservation Officer No objection</p> <p>Conservation does not object to this application for 3 new commercial buildings. While the application site is located in close proximity to the Wartnaby Conservation Area, the boundary of the CA only meets the application site at the point of the access road, and in this location it is heavily screened by mature tree planting. At the point of the application site where the new buildings are proposed, the CA boundary drops back to the edge of the village and there is sufficient distance to avoid negative impact on the streetscene or overall character of the CA.</p> <p>Furthermore there is sufficient planting proposed and an appropriate boundary treatment that will mitigate the harm caused by the inclusion of large scale commercial buildings. There are no identified designated heritage assets in close proximity (with the exception of the CA) and satellite imagery and the HER confirms that there are no historic earthwork patterns / ridge and furrow field systems that will be affected by the proposal. As such there will be very minor harm to the character of the CA, and the application is in accordance with Paragraph 137 of the NPPF and Section 72 of the Listed Building and Conservation Areas Act (1990)</p>	<p>These comments are noted</p> <p>The Committee is reminded that S72 of the Listed Buildings and Conservation Areas Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character or appearance of that area.</p> <p>The proposal is therefore considered maintain separation form the Conservation Area and not impact negatively upon it, therefore satisfying the requirement to preserve its character and appearance.</p>
<p>Ab Kettleby Parish Council – Object to the proposal.</p> <p>The character and appearance of open countryside can only be damaged by the three 12,400 sq. ft. buildings. They are substantially larger than any of the existing buildings on the site at present. The industrial estate is being characterised as a “business park” which is somewhat misleading as that is a</p>	<p>The application seeks consent to extend the existing business park to provide 3 further units to allow established businesses to expand or relocate to the area. The NPPF is clear that planning decisions should seek to support economic development where the impacts are or can be</p>

<p>terminology normally associated with office developments, not the B1 and B8 light industry and warehousing use proposed by this scheme.</p> <p>We are unsure as to what local services are provided from the site.</p> <p>The major issue for the Parish Council is traffic from the industrial estate through Ab Kettleby village to the A606 is the main problem. Vehicles from the A6006 Asfordby using the back lanes to access the site is also becoming an issue to cyclists, pedestrians and horse riders alike. Wartnaby residents have also stated their concern about the amount of traffic entering the cul-de-sac that is the village road in misguided attempts to access the industrial estate. These problems have been highlighted in the recent Neighbourhood Plan consultation where they have emerged as major issues, and the main issue for many correspondents.</p> <p>The traffic has been a constant source of complaint, and we struggle to see how it contributes to the local economy other than by paying business rates to MBC, as we have only managed to find one person from the three villages employed at the industrial estate other than the management of the estate and its maintenance worker.</p> <p>We have been told by local residents that there are empty smaller units on the site. If existing businesses wish to expand into larger premises then there are larger units already standing empty at Asfordby, Old Dalby and Holwell mine site all within a few miles, and much more appropriate to this sort of development than a conservation village like Wartnaby.</p> <p>In our opinion brown field, rather than green field sites are much more appropriate for a development of this type and size.</p> <p>Is an extended industrial estate in a Conservation village taking account of the character or any of its needs with regards to Paragraph 17 of the NPPF.</p>	<p>made acceptable.</p> <p>The are 12 businesses within the applications site, most are B1 office based businesses but there are 2 x warehouses (B8)</p> <p>The local services provided include cleaning services to all local schools, food supplies to local businesses, plumbers and window cleaners, travel agents, software developers, agriculture consultant, investment manager etc.</p> <p>Details of highways and traffic have been considered by the County Highway Authority and can be found above. Measures are proposed to prohibit larger vehicles from travelling through the village.</p> <p>Noted. The site provides employment and economic activity which contribute to the wider economy.</p> <p>A site visit has confirmed that there do not appear to be any empty units on the site, further correspondence with the applicant has confirmed that there are no empty buildings on the site, all are in full use with occupants wanting to expand, hence the need for this application.</p> <p>The site location is considered as greenfield and the loss of such forms a material consideration as part of the decision making process, however, the site does within the boundary of an existing business site and therefore the greenfield nature can only be afforded limited weight.</p> <p>Matters of Conservation are discussed within the Conservation Officer comments above.</p>
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<p>The proposal is at the expense of local communities where there are many viable alternatives close by.</p> <p>The neighbourhood plan is in preparation, but it includes the concept that further industrialisation of Wartnaby would be unwelcome and inappropriate, due to the negative impact of existing traffic becoming worse with a change of traffic access. The majority of survey respondents commented on this.</p> <p>We do not believe that the application qualifies as sustainable development under the 3.8 guidelines as listed earlier, irrespective of the potential to change road access.</p> <p>It is our belief that this development fails in sustainability, and can do nothing to improve the economic, social and environmental conditions of the area, the impact being negative bringing more commuters and service vehicles as well as heavy transport into a conservation village.</p> <p>In terms of Policy EC2 of the emerging Local plan this application should fail as the very size of its dwarfs existing buildings which we believe is unacceptable given the traffic considerations discussed earlier. It does absolutely nothing to safeguard local jobs (see references to larger units standing empty locally), and employs none of the local population who will be negatively impacted by the traffic from it.</p> <p>If the local economy is defined as the parishes of Ab Kettleby and Wartnaby then its contribution is currently negative and this application can only make it worse. If it is Leicestershire/Nottinghamshire then I'm sure there are jobs to be created, but the last 14 years demonstrates that employment for local people is minimal if any.</p> <p>The essence of local and Parish Council opposition to this application is that the industrial estate already creates nuisance and hazard, which this application can only make worse: I quote extracts from the Neighbourhood Plan: AK issues: Speeding traffic heading through AK to Wartnaby when children are being dropped off and picked up is dangerous. There is an acknowledged need for a 20mph advisory pas</p>	<p>The proposal is to extend an existing business park, the increase of units would lead to potential jobs for the local or wider community.</p> <p>Whilst the parish are seeking to provide a Neighbourhood Plan, it is at very early stages, further discussion regarding this can be found later in the report.</p> <p>Paragraph 8 of the NPPF advises that “these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.”</p> <p>Therefore when assessing sustainability in a holistic manner, there is benefit from the units being located within close proximity to the existing site.</p> <p>Details and discussion of the emerging Local Plan will be discussed later in the report.</p> <p>Details from the applicant have suggested that there are 13 employees who live in Melton, 4 in Wartnaby, 6 in Asfordby and 11 who live in other local villages.</p>
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the school during these periods.

Wartnaby Issues: the continued industrialisation of a conservation village as the Friars Well industrial estate expands. This is causing consequent worsening traffic problems in both Wartnaby and Ab Kettleby.

The management of the site has been extremely co-operative in trying to address the traffic problems with management and guidance, encouraging traffic to enter and exit via the road onto the B676 Saltway. The fact is that despite this truly exemplary effort, the problem persists and is perceived to be getting worse. White van man is no respecter of signs or cajoling, and he insists on speeding past the school in numbers every morning, making dropping off children an unnecessarily dangerous activity and the problems described earlier can only be made worse:

To re-state: the major issue for the Parish council is traffic from the industrial estate through Ab Kettleby village to the A606 is the main problem. Vehicles from the A6006 Asfordby using the back lanes to access the site is also becoming an issue to cyclists, pedestrians and horse riders alike. Wartnaby residents have also stated their concern about the amount of traffic entering the cu-de-sac that is the village road in misguided attempts to access the industrial estate. These problems have been highlighted in the recent Neighbourhood Plan consultation where they have emerged as major issues, and the main issue for many correspondents.

Wartnaby Road in Ab Kettleby has parking issues outside working hours that may also impact on accessibility for Emergency Service vehicles, and the Neighbourhood Plan seeks to address the needs for off-road parking. As long as such a large proportion of the industrial estate traffic turns right at the exit instead of left, this is only going to get worse.

The estate management cannot have any control over delivery vehicles and visitors who are unlikely to consider local issues when sat-nav is planning their route into the site, as evidenced by the number of lost vehicles ending up in Wartnaby village despite comprehensive signage, and the best efforts of the site management.

There is no public transport to Wartnaby, reducing surely the sustainability of the site, whereas the local industrial sites at Asfordby, Old Dalby and Holwell mine do indeed have regular buses to reduce worker cars and miles.

<p>The answer to this entire issue is for a new drive to be constructed from the industrial estate to exit either directly onto the B676 (and other entrances/exits/locked/controlled but available in emergencies), or onto the existing road, so close to the Saltway as to deter traffic from taking alternative routes.</p> <p>This solves the local traffic objections once and for all and we could then be encouraging to further appropriate development at the site.</p> <p>Each of 12,400sq ft., buildings are huge, almost 7m tall, total 37,200 sq. ft. which if rented at a modest £4/sqft will yield £150,000 a year, and if just one is 80% occupied by self storage you can add another £300,000 per annum income. More than enough to justify a new drive entrance to alleviate the traffic issues?</p>	
<p>LCC Ecology - No objection</p>	<p>Noted.</p>

Representations:

A site notice and press notice was posted and neighbouring properties consulted. As a result 6 letters of objections have been received to date objecting on the following;

Representation	Assessment of Head of Regulatory Services
<p>Traffic and Highway Safety</p> <p>The current business activities have brought increased traffic to the village, with numerous vans and HGVs, this will undoubtedly increase far in excess of the 20% uplift stated because of the large proposed buildings size.</p> <p>Vehicles are approaching via neighbouring villages on small lanes and the number of vehicles approaching the North Drive from the Saltway has made for an ugly cutting up of the verge, which the estate has added to with hardcore.</p> <p>Often we have vehicles mistakenly entering the village, which is not a through road, having to turn around in driveways or the small lanes and making it less safe.</p> <p>The frequency has necessitated in the need for additional road signage and it is still happening.</p> <p>Increased traffic has brought more noise, which would increase.</p> <p>This development will increase the level of traffic on roads that are not suited for the purpose of access to</p>	<p>Please see full commentary above on Highways.</p> <p>The application site will use an existing access to the site and the County Highway Authority have not objected to the proposal.</p> <p>New tenants have a clause in their contracts requiring them to use the Salt Way for access and egress and avoid Main Street, Ab Kettleby.</p> <p>The applicants have installed signage advising users of the site to avoid travelling through the village.</p> <p>Highway capacity and access have been considered by the County Highway Authority.</p> <p>Based on these measures and along with no objection from the County Highway Authority there is not considered to be a highway reason for refusal of this application.</p>

<p>a trading estate.</p> <p>All access roads to the North Drive are subject to weight restrictions and are unsuitable for increased use by HGVs</p> <p>Increased traffic will Put further pressure on the small lanes leading to the site, Increase noise pollution and harm local tranquillity, Create road safety issues and Harm amenity use of the road system by walkers, cyclists and horse riders</p> <p>Despite the obvious traffic issues, the only assessment of the likely increase in traffic made by the applicant appears to be at 5.3 of the applicant's Planning Statement where the Estate Manager is quoted as saying:</p> <p>“We currently have perhaps 20 lorries per day on average and 50 to 60 cars visiting the site and I will expect this to grow by perhaps 20% only with the new buildings occupied”.</p> <p>A 20% increase in traffic with a 250% increase in floor space appears to greatly understate the likely impact, particularly of lorry movements, and is not supported by any evidence within the application.</p> <p>There are existing traffic issues associated with the Business Park and these will be exacerbated if this application is permitted.</p> <p>Existing problems include:</p> <p>Traffic, including lorries, entering the site via Ab Kettleby and the single track Saxelbye Lane from A6006 at Asfordby.</p> <p>Traffic leaving the site and turning right at the end of the North Drive to exit via Ab Kettleby and the single track Saxelbye Lane to the A6006 at Asfordby.</p> <p>Vehicles of all types missing the North Drive and then turning around in Wartnaby village, the farm entrance or yard at Church Farm or elsewhere in the vicinity.</p> <p>Excessive traffic on the narrow road between the Saltway and the North Drive. The road is only just wide enough to accommodate passing cars. Vans and larger vehicles have to pull over, or as is more often the case drive on the grass verge at speed to pass each other.</p> <p>Excessive damage to the verges on the road from the Saltway to the North Drive. The applicant has added</p>	<p>Details of highways and traffic have been considered by the County Highway Authority and can be found above. Measures are proposed to prohibit larger vehicles from travelling through the village.</p>
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<p>“road planning’s” to the damaged areas of verge effectively widening the road. The poor state of this road and its verges visually detracts from the approach to Wartnaby village from the Saltway. Widening the road would alter the character of the approach road to the Conservation village of Wartnaby and harm its rural setting.</p> <p>The entrance to the North Drive is too close to the blind 90 degree bend in the road towards Ab Kettleby and is a potential safety issue.</p> <p>Paragraph 32 of the NPPF states that:</p> <p><i>“All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:</i></p> <p><i>Safe and suitable access to the site can be achieved for all people</i></p> <p><i>Improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.”</i></p> <p>No transport assessment appears to have been carried out by the applicant. Present access to the site is not suitable as demonstrated by the existing problems detailed above and increased traffic will reduce road safety (particularly for pedestrians, cyclists and horse riders who regularly use the small lanes around the site).</p> <p>The proposed development will result in significant cumulative impact as new traffic will be in addition to the extra traffic that has been created at the site by development over the last decade or so along with the increased large and heavy farm traffic over the last few years from Wrights Agriculture at Saxelbye and other local farms.</p>	
<p>Impact upon Residential amenities</p> <p>Wartnaby is a small residential hamlet, there is no objection to the current Friars Well Farm, however the industrial estate area should not become larger than the tranquil village itself.</p> <p>When would the expansion stop?</p>	<p>The proposed units will be positioned to the North west of the existing estate and it is considered that the residential amenities as a result of light industrial noise will not adversely affect the residential amenities as currently enjoyed.</p> <p>There are existing dwellings close to the site, the position of the proposed units is considered to be the furthest point away from the existing built form of Wartnaby and thereby causing the least impact to existing neighbouring dwellings.</p>

	Each proposal should be judged and determined upon its own merit.
<p>Visual Impact</p> <p>These are three very large buildings at 7m tall they will be visible above the small trees currently on the site.</p> <p>The tallest trees will go as this is where the buildings/HGV turning is to be located.</p> <p>The land rises to the north of the village which will mean the buildings will sit higher again than the other Friars Well estate buildings.</p> <p>Approach to Wartnaby, along the Saltway in both directions and coming down the lane to the village will change from a tree-lined vista to one of industrial in nature.</p> <p>Viewpoints from Footpaths G68, 69 and 67 would be spoilt by this development.</p> <p>Footpath G69 is a well used footpath on elevated ground to the north of the proposed site. The views to the South from this point are expansive across largely unspoilt countryside reaching to the distant horizon in the South. The introduction of three gable ends of large industrial type buildings in the foreground will alter the character of the rural landscape and detract from enjoyment of the views from the public footpath.</p> <p>Section 24 of the application form entitled site visit, in answer to “can the site be seen from a public road, public footpath, bridleway or other public land?” the “No” box has been ticked. This would appear to be incorrect.</p> <p>The proposal will result in a large and immediate increase in overall scale of the business estate at Friars Well Farm.</p> <p>The proposed development will increase the total B8 (with associated B1) type of land use at Friars Well Farm by more than 2.5 times (>250%increase).</p> <p>The scale and type of development being proposed is inappropriate in a sensitive rural location and will have significant negative impacts.</p>	<p>The appearance and design of the proposed units is typical of an industrial nature.</p> <p>The applicant has suggested that the proposal would be constructed using green coloured materials, to appear more subordinate amongst its surroundings, this is welcomed to the development and should permission be granted a condition to secure the submission of samples prior to the commencement of development could be attached.</p> <p>Tree heights around the proposed buildings now average 8.5 metres and in some cases are up to 9 metres.</p> <p>The height and type of landscaping already in place would screen the majority of the development from view.</p> <p>Whilst it is acknowledged that the units are large in scale, and are in a rural location, they would not be viewed completely independently, and would be seen in the context of the existing units.</p> <p>It is accepted that views from nearby footpaths would be altered, however the view from a footpath cannot be secured and does not warrant the refusal of an application.</p> <p>The scale and type of development proposed is in accordance with the expansion of an existing building park that has a need to provide additional units.</p> <p>Noted.</p> <p>Noted.</p> <p>National Planning Policy requires that support is given to economic development and the local economy. The site is not designated for sensitivity in heritage, environmental, flooding or ecological terms.</p>

<p>The applicant fails to adequately consider or address the impact on views within the application. The screening effect by ex-nursery trees and shrubs that remain intact following ground works is only vaguely described into the applicants planning statement.</p> <p>The lack of meaningful assessment of the visual impact make it impossible to ascertain the likely level of harm (there are no artist impressions provided for example). Neither the Council nor members of the public can judge to what extent existing planting may partially screen the buildings based on the information included within the application.</p> <p>The conservation area documentation details negative factors as inappropriate materials including UPVC windows, plastic rainwater goods and modern brickwork and render. Yet the proposed materials for the development include modern brickwork, plastic barge boards, plastic rain water goods, plastic coated metal sheeting and unspecified windows.</p>	<p>Noted.</p> <p>It is considered that the submission is adequate to allow assessment and accords with submission requirements. Artist impressions are not part of the validation requirements of the law or LPA; judgement can be made from the submitted elevation plans which contain critical dimensions.</p> <p>The suggested materials for the proposal are typical to a development of this type, however the applicant has suggested that the use of green coloured material which would appear less obtrusive than silver, however as discussed earlier, should the application be granted, details of materials can be secured by condition to be submitted to the LPA prior to commencement.</p> <p>It should be noted that the proposal does not lie within the Conservation Area therefore it would be unreasonable to insist of conservation type materials for a scheme of this nature significantly outside the Conservation boundary.</p>
<p>Impact on Conservation Area</p> <p>The buildings are adjacent to the Conservation Area of Wartnaby Village, which includes important open areas, effecting views and the general character.</p> <p>Wartnaby is a small residential hamlet of approximately 20 dwellings. It is a largely unspoilt, rural Conservation Village with a high proportion of historic buildings including the 13th Century Grade II* St Michael and All Angles Church, Grade II Tower Cottage, Grade II Church Farm House, dovecote and farm buildings and Wartnaby Hall.</p> <p>One of the core principles at paragraph 17 of the NPPF states that planning should:</p> <p>“Conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations”.</p> <p>Melton Borough Council’s assessment of the Wartnaby Conservation Area provides the following description:</p>	<p>The proposal is outside of the Conservation area, the boundary of the Conservation area meets the application site at the point of the access road.</p> <p>As confirmed by the Conservation Officer there is sufficient distance to avoid negative impact on the streetscene or overall character of the Conservation Area.</p> <p>The use of appropriate materials would further reduce this impact along with sufficient tree planting and screening.</p> <p>Mature planting exists around the boundaries of the site, this will be retained and maintained as part of the proposal.</p> <p>Planting is already between 4and 9 metres in height.</p> <p>A 30 meter wide mature tree belt will be maintained along the northern boundary and a 10 metre wide mature tree belt will be provided</p>

<p>“Wartnaby is a small, intimate village with very little new development.”</p> <p>“The Conservation area for Wartnaby includes the whole of the village encompassing large open areas northwards, and to the south to include Friars Well. These open areas make an important contribution to its rural location.”</p> <p>“Of particular benefit to the residents of Wartnaby is the lack of through traffic as there are no roads leading to any other villages. This gives the village an intimate feel and provides a unique sense of belonging for the residents. The roads are narrow and enclosed by trees.”</p> <p>The proposed development is very close to the Northern boundary of the Conservation area in open countryside. Industrial development of the scale proposed in this area will detract from the rural setting of the Conservation Area through detrimental visual impact increased traffic levels and loss of tranquillity (which is a particular feature of Wartnaby due to the lack of a through road).</p> <p>The existing development already brings some extra traffic into the village – usually cars and courier vans looking for the North Drive entrance. The proposed development will add to this.</p> <p>Paragraph 132 of the NPPF states that</p> <p><i>“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification”.</i></p> <p>Paragraph 134 of the NPPF goes on to state that:</p> <p><i>“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”</i></p> <p>The Conservation area is a designated heritage asset and its protection, including that of its setting. Must be given significant weight in the planning balance even where the harm is less than substantial.</p>	<p>along the eastern boundary. The features described in the Appraisal would remain intact and unaffected by the development.</p> <p>As such there will be no discernible harm to the character of the CA, and the application is in accordance with Paragraph 137 of the NPPF and Section 72 of the Listed Building and Conservation Areas Act (1990)</p>
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<p>Environmental Impact</p> <p>One of the core principles at Paragraph 17 of the NPPF states that planning should:</p> <p>“Contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework;”</p> <p>Par 109 of the NPPF goes on to explain that</p> <p>“The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes” and “minimising impacts on biodiversity”.</p> <p>The natural and local environment will be harmed by this development as approximately 1 hectare of trees will have to be removed to make way for the development.</p>	<p>The proposal adds to an existing business park, the proposed use of which is B1 and B8 these use classes relate to Business in the form of office and storage or distribution.</p> <p>The proposal does not request B2 use which is General industrial, therefore it is not considered that there would be a significant negative impact upon the environment, when viewed against the existing business use of the site.</p> <p>There are trees to be removed in order for the development to take place, however as previously set out there will remain a large number of existing mature trees to screen the development.</p> <p>The site is not designated in landscape or other terms for its value.</p>
<p>Noise.</p> <p>The proposed units are located very close to homes in Wartnaby which is a notably tranquil rural area with very low background noise. The units will introduce new noise to an otherwise quiet area and has the potential to create noise nuisance for residents in and around Wartnaby.</p> <p>If permitted, in addition to traffic noise, the units could house a very wide variety of business types some of which have the potential to create noise through their normal practices.</p> <p>Para 123 of the NPPF states that</p> <p>“Planning policies and decisions should aim to:</p> <ul style="list-style-type: none"> • Avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development; • Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;” <p>The impact of noise on the tranquillity and character of the Conservation Area and the residents’ residential amenity should be weighted in the</p>	<p>Existing residential dwellings have been considered and the placing of the proposal has taken account to this in order to reduce impact upon those dwellings.</p> <p>The proposal would be situated a large distance from existing properties and also screened, therefore it is not considered that there would be any significant impact upon existing residential dwellings in terms of noise.</p> <p>Should permission be granted, working hours could be secured by way of condition to limit potential noise from the proposal.</p>

<p>planning balance.</p> <p>Should the application be permitted appropriate conditions should be applied to ensure noise is limited to acceptable levels, particularly at night time due to the proximity to the Conservation area and local dwellings.</p>	
<p>Business Use</p> <p>The NPPF commitment to suitable economic growth, the economic benefits of proposed new space could be minimal. The nature of warehouses of this scale is that they tend to accommodate business which see lots of vehicle movements but do not employ many staff.</p> <p>Extension of the existing storage business, for example, would not create additional jobs.</p> <p>The need for job creation and economic development in the local area is appreciated and the smaller scale B1 offices would be more suited in this location. These would create more jobs without the associated problems of commercial vehicle movements and visual impact of structures inappropriate in scale and design.</p> <p>The site is not within an established industrial estate. The established business estate is a former farmyard which is partially within the Wartnaby Conservation Area and that has over the last decade or so been converted to office and business space (not without issues). The proposed site is adjacent to this in open countryside.</p> <p>The Minister's introduction to the NPPF states that there is general presumption in favour of sustainable development. The applicant's words imply that MBC advised a "presumption in favour" of this development at pre application stage.</p> <p>As the NPPF clearly sets out, like any other, this applications sustainability must be measured weighing the benefits and harms into the planning balance. The balance indicates that this application in its present form is unsustainable.</p>	<p>Details of staff and nature of proposed businesses have been discussed earlier in the report.</p> <p>Additional units are being proposed to meet a need of the existing units to expand, therefore it is acceptable to consider that additional jobs would be created by the proposal.</p> <p>The proposal is for a mix of B1 and B8 use.</p> <p>The site is within an established business park, therefore it would be appropriate to extend this use, given that there is a need for expansion by existing occupants.</p> <p>Balancing of the benefits and impacts of the development can be found at the conclusion of this report.</p>
<p>External Lighting</p> <p>The current business units have bright security lighting on at all hours of darkness, it has changed</p>	<p>Should permission be granted, conditions can be imposed to ensure the details of any external</p>

<p>the look and feel of the village on approach; further, larger and more visibly buildings will only add negatively to this.</p> <p>Paragraphs 125 of the NPPF states that:</p> <p>“By encouraging good design, planning polices and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.”</p>	<p>lighting are submitted to the LPA for approval prior to occupation of the units.</p>
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Other material considerations (not raised through consultation or representation)

Consideration	Assessment of Head of Regulatory Services
<p>Compliance (or otherwise) with Planning Policy</p>	<p>The proposal is not considered to be small scale and represents a departure to the development plan policy OS2 being sited in the open countryside. Policy EM10 allows for small scale expansion of existing rural industrial sites subject to certain criteria having been met.</p> <p>The local plan is considerably out of date and the weight attributed to it is weakened. Paragraph 215 of the NPPF advises that due weight should be given to existing local plan polices according to their degree of consistency with the NPPF. Policy OS2 seeks to restrict development outside of the village envelope unless it is of small scale commercial and this is supported by policy EM10 for a commercial development of this nature. It is not considered that the proposal is small scale and therefore it does not comply with the local plan policies and it is recommended that a departure to the local plan is approved. Policy OS2 is now of considerable age and recent appeal decisions have advised that it is no longer suitable to rely upon OS2 to steer development. It is therefore necessary to judge whether any harms would arise if development was approved and if so can they be successfully mitigated. Given the location of the proposal which is further away from residential dwellings it is not considered that harm would arise in this instance and the proposal would not have any adverse impact upon the countryside and will provide an extension to an existing business site which will have greater benefits to the economy.</p> <p>The NPPF is a material consideration and postdates the local plan and is supportive of economic development. In terms of its promotion of economic growth, the NPPF requires that planning should do “everything it can” to encourage economic development and advises that “significant weight” should be assigned and</p>

	<p>as such it is considered to weigh substantially in favour of the proposal.</p> <p>The units would be sited to North-west of the existing estate and situated on former arable land. It is considered that, the development of the site would not have an unduly detrimental impact upon the character of the area and due to separation distances will not have an adverse impact upon residential neighbours at Wartnaby. The existing business park is situated on the edge of the village itself will not appear as a standalone site isolated from the settlement. The proposal would be read as an extension to the existing business park and therefore it cannot be demonstrated that significant harm to the countryside would be had should the proposal be allowed due to its close relationship to the existing business park</p> <p>The proposal has not generated an objection from the Highways Authority who consider that the existing highways network is capable of accommodating the vehicles anticipated from the enterprise units.</p> <p>It is considered that the facilities the proposal will provide will be of assistance to the business sector and support economic growth in the Borough and this commands significant benefit when weighed against the limited harm to the countryside location.</p>
<p>The (new) Melton Local Plan – Pre submission version.</p> <p>The Local Plan has recently been submitted to the Planning Inspectorate for examination and consideration.</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> ● the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given); ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and ● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). 	<p>Whilst the Local Plan remains in preparation it can be afforded only limited weight.</p> <p>Whilst the Local Plan remains in preparation it can be afforded only limited weight.</p> <p>When assessed against the NPPF criteria opposite:</p> <p>The Local Plan is submitted for Examination and has the following steps to complete:</p> <ul style="list-style-type: none"> • Examination for its ‘soundness’ under the NPPF • Examination results to be published and any ‘modifications’ to be the subject of consultation • Further examination to take place into Modifications • Final Inspectors Report and recommendations • Adoption by MBC <p>There are several hundred representations to the</p>

<p>Policy C7 of the submitted Local Plan relates to Rural Services and states that support will be given to proposals and activities that protect, retain or enhance existing community services and facilities or that lead to the provision of additional assets that improve community cohesion and well-being to encourage sustainable development.</p> <p>Policy EC2 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 the expansion of existing rural businesses, dependant upon the nature of the activities involved, the character of the site and its accessibility amongst other things.</p> <p>The proposal is in line with the Policies as mentioned above.</p> <p>Policy EN13 is also of relevance given the location of the site within a Conservation Area and requires the following:</p> <ul style="list-style-type: none"> • Ensure the protection and enhancement of Heritage Assets including non-designated heritage assets when considering proposals for development affecting their significance and setting. • Proposed development should avoid harm to the significance of historic sites, buildings or areas, including their setting. • Seek that new developments make a positive contribution to the character and distinctiveness of the local area. • Ensure that new developments in conservation areas are consistent with the identified special character of those areas, <p>Policy EC2 – Employment Growth in the Rural Area (Outside Melton Mowbray) states that: In order to support the rural economy, the Council will allow for:</p> <ul style="list-style-type: none"> • new employment land to be provided in rural settlements; and/or; • rural employment proposals which create or safeguard jobs. 	<p>local plan covering very many aspects, It can only be reasonably concluded that very many relevant objections remain unresolved</p> <p>Whilst it is the Council’s view that the Local Plan is consistent with the NPPF (as this is a requirement allowing its submission) this is contested by many parties. This will be the subject of consideration by the Examination process.</p> <p>It is therefore considered that it can attract weight but this is limited at this stage.</p> <p>The proposal is considered to be in accordance with the emerging local plan in terms of its location (see applicable policy opposite) which it is considered adds to the issues that add weight in support of the proposal.</p>
<p>Ab Kettleby Neighbourhood Plan</p> <p>The NPPF advises that: From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:</p> <ul style="list-style-type: none"> • the stage of preparation of the emerging plan (the more advanced the preparation, the greater the 	<p>The Parish Council has undertaken public consultation to being development of a Neighbourhood Plan in January 2016.</p> <p>No Plan has been published for consultation. As such no weight can be afforded.</p>

<p>weight that may be given);</p> <ul style="list-style-type: none"> ● the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and ● the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given). 	
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Conclusion

The application site is adjacent an existing business estate on the edge of the village of Wartnaby and seeks consent for the principle of additional employment land with the borough. Consideration to material and design have been given in relation to its semi-rural nature and also the use of existing mature screening, along with details of design, layout and appearance, it is considered that the principles of the development is acceptable in this location.

Despite concerns regarding highways issues, no evidence has been put forward that any such increase would significantly harm road safety interests and the Highways Authority have confirmed that the roads serving the site do not have a capacity issue and neither is there a traffic accident issue. Accordingly, it is not considered that these concerns can be substantiated and withstand challenge.

Details of Conservation have been considered and the separation afforded from the application site to the Conservation Area is considered acceptable in this instance.

For these reasons the proposals are considered in accordance with local and national planning policy (NPPF) and no other material considerations indicate it should depart from these. The application is recommended to be conditionally approved.

RECOMMENDATION: - Permit subject to the following conditions:-

- 1 The development shall be begun before the expiration of three years from the date of this permission.

- 2 The proposed development shall be carried out strictly in accordance with plan drawing number

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- 3 Before any external lighting is erected in relation to the use hereby approved, full details shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

- 4 No development shall start on site until all external materials to be used in the development hereby permitted have been agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

- 5 The development hereby permitted shall not be occupied until such time as off street car and HGV parking provision (with turning facilities) has been provided and hard surfaced in accordance with A.F &S.J. Building Design consultants drawing number. 1756-1. Thereafter the onsite parking provision shall be so maintained in perpetuity.

6. No development shall start on site until full details of operating hours and details of deliveries have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reasons

- 1 To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by S51 of the Planning and Compulsory Purchase Act 2004.
- 2 For the avoidance of doubt.
- 3 To prevent unreasonable light disturbance in the interests of residential and rural landscape considerations.
- 4 To ensure a satisfactory standard of external appearance.
- 5 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) In the interests of highway safety and in accordance with Paragraph 32 and 35 of the National Planning Policy Framework 2012.
- 6 For the avoidance of doubt.

Officer to contact: Ms L Parker

Date: 20th November 2017