

UPDATE SHEET

PLANNING COMMITTEE – 2 September 2021

**To be read in conjunction with the
Report of the Head of Planning and Infrastructure to Planning
Committee**

- (a) Additional information received after the publication of the main reports;**
- (b) Amendments to Conditions;**
- (c) Changes to Recommendations**

A1	19/01496/OUTM	<p>Development of up to 92,500 sq m GIA of storage and distribution units (B8), industrial units (B2) and light industrial units (B1c); service yards and parking areas; new vehicular accesses off Trent Lane/Station Road and Rycroft Road with associated earthworks, drainage and attenuation features and other associated works (outline – all matters reserved except for the principal means of vehicular access to the site).</p> <p>Land South of Junction 1 of the A50, Castle Donington.</p>
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Additional Information

Position on Ecology (Barn Owls)

Following the publication of the Planning Committee agenda the applicant submitted a technical note in relation to Barn Owls so as to address comments raised by the County Council Ecologist and third parties.

Following reconsultation with the County Council Ecologist on the technical note they have advised that they have no objections subject to the imposition of conditions should outline planning permission be granted.

Position on Flood Risk (Outstanding Consultation Response from Environment Agency)

At the time of the publication of the Planning Committee agenda a consultation response from the Environment Agency (EA) was outstanding. A consultation response has now been received from the EA who advise that they have no objections and that the conditions within their original consultation response would remain applicable should outline planning permission be granted.

Additional Representations

Two further third party representations to the application have been received with the comments raised summarised as follows:

- The appearance and character of the landscape and its historical and local distinctiveness will be destroyed by large warehouses with up to 18m ridge heights. The main entry into Hemington from Junction 1 of the A50 will be through an industrial estate. This is contrary to Policy S3.
- Development removes the physical and perceived separation between Castle Donington and Hemington and creates ribbon development. This is contrary to Policy S3
- The employment studies by the applicant are flawed as they discount sites in North West Leicestershire which are too far away but do not take into account land close to the site but outside the District (e.g. Infinity Park, Clifton and Ratcliffe Power Station, Ratcliffe on Soar).
- There will be an increase in traffic, including HGVs, through the villages which is not taken into account within the studies undertaken by the applicant.
- The development is on flood plain with Hemington being a flood risk area.

- There will be a loss of countryside and high grade farmland which should be protected.
- There will be cumulative negative impacts to the AQMA in Castle Donington.
- There is a risk of light and noise pollution close to a conservation area.

Matters Raised by Members at the Technical Briefing

At the technical briefing on Thursday 26th August 2021 Members raised a question in relation to the appendix associated with the Committee report.

The appendix includes the consultation response provided by the District Council's Planning Policy Team to the application (in November 2020) as well as an update to these comments (dated August 2021). Specifically this update covers:

- The newly published study of the need for strategic distribution land/floor space in Leicester and Leicestershire (2020 – 2041);
- Updated employment land supply position to April 2021;
- The newly published study of the need for additional employment land (excluding strategic distribution) in North West Leicestershire (2017 – 2039); and
- Planning permissions update.

The update includes information on two newly published studies which will inform the Substantive Local Plan Review. These have not yet been subjected to any third party scrutiny or examination and little weight can be afforded to the information provided within these studies at this time. The studies, of themselves, do not indicate that permission should be granted on this specific site in order for overall needs to be met. In any event the Committee reports identifies that the applicant has demonstrated an 'immediate demand' for the development, in line with Policy Ec2(2) but that such 'immediate demand' does not outweigh the landscape harm arising from the development contrary to criterion (c) of Policy Ec2(2) and Policy S3 of the adopted Local Plan.

The information associated with the updated employment land supply (April 2021) and planning permissions update are relevant to the determination of the application at this time whilst noting that the requirements in the HEDNA and Strategic Distribution Study (2017) are all expressed as minimum figures and are not a limit which cannot be exceeded.

Overall, the tests of Policies Ec2(2) and S3 of the adopted Local Plan remain applicable and the policy update does not alter the conclusion reached in the Committee report.

Officer Comment

On the basis that no objections are raised by the County Council Ecologist and Environment Agency, subject to the imposition of conditions should outline planning permission be granted, it is considered that the development remains compliant with relevant policies in relation to ecology and flood risk in the adopted Local Plan and National Planning Policy Framework (NPPF).

Additional Representations

The comments within the additional representations are acknowledged but do not raise any new material planning considerations which have not already been considered and appropriately assessed in the Committee report.

Officer Correction to Committee Report

On page 35 of the Committee report the reference to the 'Midland Mainline railway' should state the 'Castle Donington line'. This clarification is provided for the avoidance of doubt.

Conclusion

Whilst the County Council Ecologist and Environment Agency have no objections to the application these are specifically related to the technical matters associated with ecology and flood risk and do not alter the overall conclusion that outline planning permission be refused.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION.

**A2 21/01132/FUL Retention of agricultural building, track,
hardstanding and earth bunds
Land at Coleorton Lane, Packington**

Additional information received:

The planning agent has confirmed that the applicant would be agreeable to an additional condition being attached to secure a soft landscaping scheme for the development.

NO CHANGE TO RECOMMENDATION however recommend the following additional condition:

- 1) To secure, implement and maintain a landscaping scheme.**

A4 21/00857/VCIM Erection of 360 dwellings, associated infrastructure and landscaping approved under reserved matters approval ref. 20/01184/VCIM (outline planning permission ref. 13/00956/OUTM) without complying with Condition nos. 2, 3, 5, 6, 7, 9, 10, 11, 12, 13, 16, 19, 20, 21, 22, 23, 24 and 31 so as to allow for amended house types / positioning, road widths, street and bollard lighting, retaining walls and bin stores, and removal of garages
Land North of Grange Road, Hugglescote

Additional Consultee Responses:

Leicestershire County Council Local Highway Authority confirms that, following receipt of amended plans indicating that the previously approved timetable in respect of rights of way waymarking would be secured, it has no objections to the application.

RECOMMENDATION- PERMIT, subject to the conditions as set out in the main report