

UPDATE SHEET

PLANNING COMMITTEE – 10 January 2024

**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 23/00129/FULM Change of use of agricultural land to motocross training park including the formation of parking and earth-made jumps and the placement of associated ancillary portable buildings.

Molehill Farm, Ashby Road, Kegworth.

Additional Representation/Information

An additional representation has been received objecting to the application on the basis that there would be noise pollution associated with the development which, when combined with existing noise from air traffic (East Midlands Airport), road traffic (M1, M/A42 and A453) and industrial premises at the East Midlands Gateway Strategic Rail Freight Interchange (EMGSRFI), would result in significant detriment to residential amenity.

At the Technical Briefing it was requested by Members that a draft list of any planning conditions which would be imposed should Members determine to approve the application be provided.

Officer Comment

In terms of the additional third party representation received, it is considered that the '*Residential Amenity*' section of the Committee Report addresses the contents of the representation received and no further commentary is necessary.

A draft list of the proposed conditions which would be imposed should Members determine that planning permission be granted is attached as an appendix to this update sheet.

RECOMMENDATION – NO CHANGES TO RECOMMENDATION.

DRAFT CONDITION LIST FOR 23/00129/FULM – MOLEHILL FARM,
ASHBY ROAD, KEGWORTH

1. Standard time limit (3 years).
2. Approved plans.
3. Precise arrangement of circuits on the site and the alterations to the ground levels to be submitted and approved before development commences.
4. Hours of use shall be limited to between 10:00 and 16:00 on Tuesdays, Thursdays, Saturdays and Sundays as well as Bank Holiday Mondays.
5. Notwithstanding Condition 4, between the months of June to September (summer months) the site can operate until 19:30 on Thursdays only for a total of 12 days between these months.
6. The use of the site shall be as a motocross training park only and no competitions or race events shall be held.
7. Restoration plan to be submitted and approved should the use of the site as a motocross training park cease.
8. A noise management plan (NMP) to be submitted and approved prior to the first use of the site.*
9. A dust management plan (DMP) to be submitted and approved prior to the first use of the site.
10. The provision of visibility splays at the site access in accordance with the Leicestershire Highways Design Guide (LHDG) before first use of the site.
11. Off-street parking provision and manoeuvring facilities to be submitted and approved prior to the first use of the site.
12. A scheme of signage at the site access to be submitted and approved prior to the first use of the site.
13. Surface water drainage scheme to be submitted and approved prior to the first use of the site.
14. A scheme for the management of surface water during the construction of the development (including a method statement in relation to ensuring suspended solids do not enter the watercourse) to be submitted and approved before development commences.
15. Maintenance scheme for the installed surface water drainage scheme to be submitted and approved prior to the first use of the site.
16. A scheme of ecological mitigation and enhancement measures to be submitted and approved prior to the first use of the site.**
17. A site management plan (SMP), incorporating a Bird Hazard Management Plan (BHMP) to be submitted and approved prior to the first use of the site.
18. Soft landscaping scheme to be submitted and approved prior to the first use of the site.
19. Hard surfacing material to be submitted and approved prior to the installation of any hard surfacing.
20. Boundary treatment scheme in accordance with submitted plans (rope and post fencing).
21. No external lighting to be installed unless precise details of such lighting is first submitted and approved.
22. Management plan for the monitoring of the condition of the portable buildings to be submitted and approved prior to the first use of the site.
23. Precise elevation details of the portable buildings to be installed to be submitted and approved before such time as the portable buildings are provided.
24. Precise colour scheme of the portable buildings to be installed to be submitted and approved before such time as the portable buildings are provided.

*The NMP will include the following:

- (i) That the noise level emissions of the bikes would comply with the amended noise impact assessment (NIA) which would be 86 decibels (dB) on a 4-stroke bike and 94 dB on a 2-stroke bike;
- (ii) How staff would carry out the bike checks (including how far they would stand away from the bikes and the revs etc the bikes would be at);
- (iii) That a log of the bike checks is maintained for inspection by the Council's Environmental Protection Team (EPT) at any reasonable time;
- (iv) That if a bike fails to meet the set noise level emissions detailed in the amended NIA it shall not be permitted to ride on the tracks unless, and until, it has been modified and/or repaired and has subsequently passed a further noise level emission check;
- (v) That the length of a session is limited to 15 minutes, with a maximum of 24 sessions during a day and a maximum of 96 sessions a week; and
- (vi) That no more than 45 bikes may be present on the site at any one time and that of these 45 bikes only 21 bikes may be in use on the circuits at any one time.

** The ecological mitigation and enhancement measures shall include:

- (a) The provision of petrol interceptors and sediment traps so as to avoid pollution of the watercourse, both during the construction and operational phases of the development;
- (b) A precautionary method of works so as to ensure great crested newts (GCNs), badgers, reptiles and other species (such as hedgehogs) are not put at risk during the construction phase; and
- (c) The provision of bat and bird boxes, hedgehog boxes within the peripheries of the site, refuge piles/hibernacula for reptiles and insect refuge features.

**A2 23/01160/VCU AMENDMENTS TO CONDITIONS 14 AND 15 OF
PLANNING PERMISSION 22/00546/OUT WHICH
WAS FOR THE ERECTION OF UP TO SEVEN
DWELLINGS (OUTLINE- ACCESS AND LAYOUT
ONLY) TO CHANGE THE OFF SITE BIODIVERSITY
MITIGATION DETAILS**
Land West Of, Ashby Road, Packington, Leicestershire.

Points of Clarification

- The originally approved application (22/00546/OUT) achieved a 10% biodiversity net gain.
- The amended biodiversity improvements in this application achieve a 13.27% net gain.
- Conditions 14 and 15 of application 22/00546/OUT are proposed to be varied by this application. These conditions require specific BNG details to be discharged. All BNG precise details are recommended to be secured by condition and via a legal agreement, (as they were done originally under the original application).
- The previously proposed “orchard” was never intended for a community use and would have been for biodiversity net gain purposes only. The precise nature of planting for the existing mitigation site was always to be agreed by condition and an orchard was only an initial suggestion proposed by an objector. As such no details of an orchard have ever been formally agreed for this development.
- Public access to BNG sites is not encouraged as this can result in maintenance and damage issues to the site which could adversely affect the wildlife / biodiversity. As such a public orchard would not assist in providing high quality BNG mitigation land.
- The new offsite mitigation on land at Coleorton Lane proposes to create lowland mixed deciduous woodland, which would be more biodiverse and appropriate for this kind of mitigation than the current proposal.

RECOMMENDATION – NO CHANGE TO RECOMMENDATION.