

Conversion and redevelopment of barns to form four offices and two storage buildings with an existing access

Report Item No  
A5

Measham Lodge Farm Gallows Lane Measham Swadlincote  
Leicestershire DE12 7HA

Application Reference  
15/00497/FUL

Applicant:  
Mr & Mrs A Garland

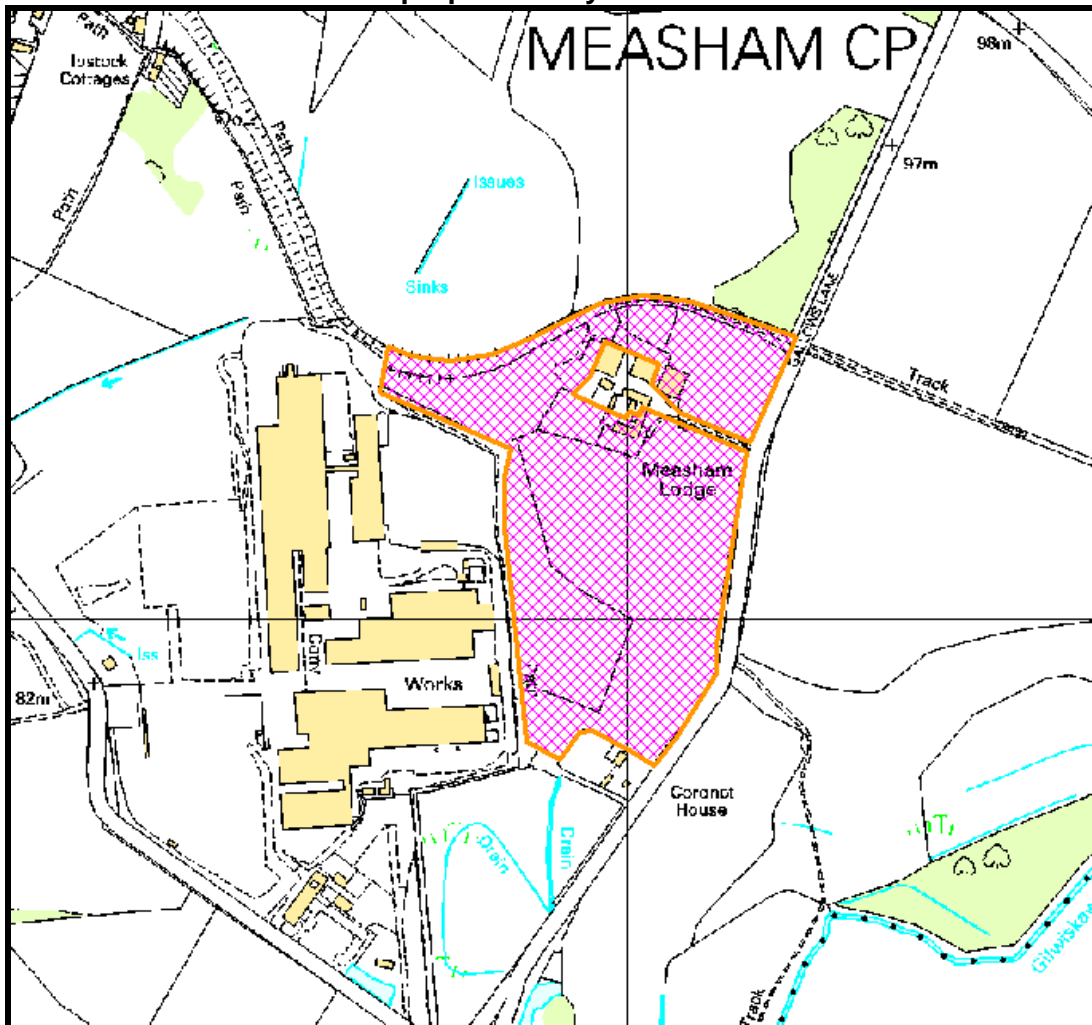
Date Registered  
12 June 2015

Case Officer:  
Jenny Davies

Target Decision Date  
7 August 2015

Recommendation:  
PERMIT Subject to a Section 106 Agreement

Site Location - Plan for indicative purposes only



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## **EXECUTIVE SUMMARY OF PROPOSALS AND REASONS FOR APPROVAL**

This application is reported to Members of the Planning Committee as the agent is related to Councillor Richard Blunt.

### **Proposal**

Planning permission is sought for the conversion and redevelopment of barns to form four offices and two storage buildings at Measham Lodge Farm, Gallows Lane, Measham. The buildings that are the subject of this application form two groups; a group of older traditional barns located to the north of the farm house which would form the four offices and two more modern buildings located on the northern part of the site, which would form the two storage buildings. Measham Lodge Farm is a Grade 2 listed building and an application for listed building consent for these works has been submitted concurrently.

### **Consultations**

No letters of representation have been received from members of the public. Measham Parish Council raises concerns and the County Highways Authority initially recommended the application for refusal although following discussion with the agent and amendments to the proposal its objections have now been withdrawn. No other objections have been received from statutory consultees.

### **Planning Policy**

The application site lies outside Limits to Development as defined in the adopted North West Leicestershire Local Plan and is in the countryside which is protected by Policy S3. Section 66 of the Planning (Listed Buildings and Conservation) Act 1990 is also relevant.

### **Conclusion**

The listed buildings cannot be converted without major reconstruction and significant alteration so the proposal does not completely comply with Policy E24. However the proposal only fails to comply with one part of Policy E24 and as noted above will result in the repair and re-use of a Grade 2 listed building which is a designated heritage asset. The use/re-use of existing rural buildings also outweighs the site's unsustainable location. The less than substantial harm to the heritage asset is in this case considered on balance to be outweighed by the bringing back into use of the listed buildings and their rebuilding/repair resulting in the buildings retaining their historic form and importance and their relationship with and setting to the principal listed building. The proposal would not result in adverse impacts on the character and visual amenities of the area, on protected species or on residential amenities. The County Highway Authority's concerns regarding highway safety have been addressed by mitigation measures and the potential for impact on the public footpath could be addressed by condition. It can be ascertained that the proposal will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River Mease SSSI. There are no other relevant material planning considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

**RECOMMENDATION- PERMIT, subject to the following condition(s) and the signing of a legal agreement**

**Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation**

responses, planning policies, the Officer's assessment and recommended conditions, and Members are advised that this summary should be read in conjunction with the detailed report.

## MAIN REPORT

### 1. Proposals and Background

Permission is sought for the conversion and redevelopment of barns to form four offices and two storage buildings at Measham Lodge Farm, Gallows Lane, Measham. An application for listed building consent for the same proposal has been submitted concurrently and is also to be considered at this Planning Committee (15/00587/LBC). The application also proposed that the two storage buildings be used for general industrial (Use Class B2) purposes but this has subsequently been removed following highway safety concerns.

The site is located on the western side of Gallows Lane and is surrounded by open fields. The buildings that are the subject of this application form two groups; a group of older traditional barns located to the north of the farm house which would form the four offices (Buildings 4, 6, 7 and 11); and two more modern buildings located on the northern part of the site, which would form the two storage buildings (Buildings 9 and 10). Another group of traditional barns located closer to the farmhouse and another modern building do not form part of the application.

Elements of the older buildings would need to be rebuilt as they have either been demolished or are in a poor state of repair, in particular a building which formed three sides of a farmyard area and is no longer in existence would be replaced on a similar footprint by Building 11. The majority of existing openings would be utilised with some new openings proposed. One of the two modern buildings requires the installation of materials to all its elevations as they are currently open sided, and the other modern building requires limited external alterations largely relating to the replacement of existing materials.

An existing access road (with some alterations) leading from Gallows Lane would continue to serve the site and parking and turning space would be provided at a variety of locations within the site.

Measham Lodge Farm is a Grade 2 listed building and the traditional buildings located to the rear of the farm house (including those that are the subject of this application) are listed by virtue of their relationship with the principal listed building. The modern buildings are not considered to be listed as they are not attached to any part of the listed building and appear to have been constructed after 1948. The listing description states:

*House of earlier C18, with c.1800 wings. Red brick, Flemish bond, with brick dentilled eaves and twin-span roof of C20 tiles with four rebuilt end stacks. Wing to right, of Measham gobs with slate roof. Gauged brick lintels and ground floor stone sills. Main range front of 2 storeys: first floor, three windows, 3 light casements with central 2-light, all with top lights. Central oeil-de-boeuf above. Ground floor, three 2/2 sashes, one added c.1800. C20 canopied doorcase with overlight. 1 storey extension left end. Wing, side facing, 2 storeys, upper original blank window, lower a 2/2 sash. End has dentilled pediment band and recessed giant arch below, with gauged brick arch and tripartite 2/2, 6/6, 2/2 sash both floors. To rear, an early C19 extension with plain tiled roof and ridge stack. 2 storeys of two 3-light casements with cambered lintels. Main range rear as front with sash replacing 3-light, and C20 porch. Interior: C18 staircase, 6-panelled doors, beams and two inglenooks. The wing is almost certainly the only example of the use of Measham gobs on an elegant house remaining uncovered.*

The site lies within the catchment area for the River Mease Special Area of Conservation. Public footpath P90 runs along the access drive before turning to the north.

No planning history records have been found in respect of the buildings that are the subject of this application. Permission was granted in November 2013 (13/00205/FUL) for the change of use of land for the storage of military equipment including tanks, armoured fighting vehicles, heavy vehicles and trailers, off road 4 x 4 vehicles and associated servicing and maintenance equipment on an area of land to the west of the farm complex. This storage use had been in operation but has now ceased after permission was granted in December 2014 (14/01032/FUL) for a similar storage use at the 'Tankmania' site on the eastern side of Gallows Lane.

## 2. Publicity

2 Neighbours have been notified (Date of last notification 9 July 2015)

Site Notice displayed 19 June 2015

Press Notice published 24 June 2015

## 3. Consultations

Measham Parish Council consulted 17 June 2015

County Highway Authority

NWLDC Footpaths Officer

Head of Environmental Protection

NWLDC Conservation Officer

LCC/Footpaths

Environment Agency

Severn Trent Water Limited

Natural England

LCC ecology

## 4. Summary of Representations Received

### Statutory Consultees

**Measham Parish Council** feels that the access to the site is a concern due to the fact that of extra vehicular traffic and ask if the access could be made wider.

**The Council's Environmental Protection team** has no environmental observations subject to conditions.

**The County Ecologist** has no objections.

**Natural England** has no objections subject to conditions.

**The Environment Agency** has no objections.

**Severn Trent Water** has no objections.

**The Council's Conservation Officer** has no objections.

**The County Highway Authority** initially recommended refusal on the following two grounds:

1. *The proposal, if permitted, would lead to a significant increase in turning traffic using an access onto a busy, unrestricted (60mph) Class II (B4116) road where the turning manoeuvres would be an additional source of danger to road users which would not be in the interests of*

*highway safety.*

*2 The Applicant has failed to demonstrate that their proposal will be in a location that is readily and safely accessible by walking, cycling and public transport. Leicestershire County Council policy contained in the 'Local Transport Plan 3' and policy IN6 of the '6Cs Design Guide' seeks to deliver new development in areas where travel distances can be minimised, and genuine, safe and high quality choices are available (or can be provided) for people to walk, cycle and use public transport facilities. The 'LTP3' and the '6Cs Design Guide' reflect Government guidance contained in the 'National Planning Policy Framework'.*

Following the removal of the B2 element from the proposal and the agreement of the applicant to secure highway safety improvements at the site the Highway Authority has withdrawn its objections.

**The County Footpaths Officer** has raised some concerns regarding impact on public right of way P90 and advises that alterations are required to the route of the right of way which can be secured by condition.

**The Council's Footpaths Officer** requested further information relating to the routes of nearby public footpaths but has made no further comments.

### **Third Party Representations**

No letters of representation have been received.

## **5. Relevant Planning Policy**

### **National Planning Policy Framework (NPPF) - March 2012**

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 14 (Presumption in favour of sustainable development)

Paragraph 17 (Core planning principles)

Paragraphs 18 and 19 (Building a strong, competitive economy)

Paragraphs 24 and 25 (Ensuring the vitality of town centres)

Paragraph 28 (Supporting a prosperous rural economy)

Paragraphs 32 and 34 (Promoting sustainable transport)

Paragraphs 57, 61 and 64 (Requiring good design)

Paragraph 75 (Promoting healthy communities)

Paragraphs 109, 118, 119, 120 and 123 (Conserving and enhancing the natural environment)

Paragraphs 129, 131, 132 and 134 (Conserving and enhancing the historic environment)

Paragraph 203 (Planning conditions and obligations)

### **North West Leicestershire Local Plan:**

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The application site is outside Limits to Development as defined in the adopted North West Leicestershire Local Plan. The following Local Plan policies are relevant to this application:

Policy S1 - Overall Strategy  
Policy S3 - Countryside  
Policy E2 - Landscaped Amenity Open Space  
Policy E3 - Residential Amenities  
Policy E4 - Design  
Policy E7 - Landscaping  
Policy E8 - Crime Prevention  
Policy E24 - Re-Use or Adaptation of Rural Buildings  
Policy F1 - National Forest General Policy  
Policy F2 - Tree Planting  
Policy F3 - Landscaping and Planting  
Policy T3 - Highway Standards  
Policy T8 - Parking  
Policy T13 - Cycle Parking

### **Emerging North West Leicestershire Local Plan**

On 15 September 2015 the District Council's Full Council considered a draft Local Plan and resolved to approve the draft Local Plan for consultation. The draft policies listed below are considered relevant to this application. However, in view of the very early stage to which the draft Local Plan has progressed, only very limited weight can be attributed to its policies at this stage.

Policy S1 - Presumption in favour of sustainable development  
Policy S2 - Future housing and economic development needs  
Policy S3 - Settlement Hierarchy  
Policy S4 - Countryside  
Policy S5 - Design of New Development  
Policy Ec9 - Town and Local Centres: Hierarchy and Management of Development  
Policy IF4 -Transport Infrastructure and New Development  
Policy IF7 - Parking Provision and New Development  
Policy EN1 - Nature Conservation  
Policy EN2 - River Mease Special Area of Conservation  
Policy EN3 - The National Forest  
Policy EN6 - Land and Air Quality  
Policy HE1 - Conservation and Enhancement of North West Leicestershire's Historic Environment  
Policy CC2 - Sustainable Design and Construction  
Policy CC4 -Sustainable Drainage Systems

### **Other Guidance**

National Planning Practice Guidance - March 2014  
The Conservation of Habitats and Species Regulations 2010 (the 'Habitats Regulations')  
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System  
River Mease Water Quality Management Plan - August 2011  
River Mease Development Contributions Scheme - November 2012  
The Community Infrastructure Levy Regulations 2010

## 6Cs Design Guide (Leicestershire County Council)

**6. Assessment**

The main issues for consideration in the determination of this application relate to the principle and sustainability of the development, its impact on the historic environment and its impact on the character and visual amenities of the area, highway safety, public rights of way, protected species and the River Mease Special Area of Conservation/SSSI.

**Principle and Compliance with Policy E24**

The application site is located outside the Limits to Development where permission for new development would not normally be granted unless it is for the re-use, adaptation or conversion of rural buildings and other specific uses as set out in Policy S3 of the North West Leicestershire Local Plan. Policy E24 of the Local Plan also applies.

Under Policy E24 there is no requirement for a consideration of alternative uses for the buildings if an employment use is proposed, as is the case in this instance.

A Structural Report has been submitted which details the current state of the buildings and the repairs and remedial works required as part of the conversion. The report indicates that the traditional buildings are in relatively poor condition due to lack of maintenance and significant failings to their external walls and that there would be a need for substantial rebuilding works. The more modern buildings are generally in good condition although some of their external walls and roofs may need replacing. It is therefore considered that the modern buildings are structurally sound and would comply with criterion (i) of Policy E24. However the traditional buildings are generally not structurally sound and the level of works that would be required to make them so means that the buildings cannot be converted without major reconstruction and significant alteration and therefore the proposal would be contrary to criteria (i) and (ii) of Policy E24. A new building for office use is also proposed which would not fall within the types of use set out under Policy S3. However in this case the traditional buildings are listed buildings and therefore their repair and bringing back into use is a material consideration which must be weighed in the balance against non-compliance with Policy E24. Impact on the listed buildings is considered separately further below in this report.

Offices fall within the definition of main town centre uses as set out in the NPPF and as such a sequential approach should be taken to such development. However the NPPF goes on to state that the sequential approach should not be adopted for small scale rural offices and therefore given the scale of the office element would not apply in this case.

**Sustainability**

The site is located outside Measham and is poorly related to the village, with the nearest bus stop being located approximately 1km away. Therefore employees and any visitors are likely to travel to and from the site by private car.

However at paragraph 17 the NPPF advises that planning should support sustainable economic development to deliver business and industrial units and at paragraph 28 encourages economic growth in rural areas, in particular the sustainable growth and expansion of businesses through the conversion of existing buildings. The proposal will make use of existing buildings some of which are listed buildings in need of a substantial level of repair. Therefore the use/re-use of existing rural buildings would not be contrary to Policies S3 and E24 of the Local Plan and this outweighs the site's unsustainable location.



### Historic Environment

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, when considering whether or not to grant planning permission for development which affects a listed building, to have special regard to the desirability of preserving the building, or its setting or any features of special architectural or historic interest that the building may possess. Paragraph 131 of the NPPF requires, amongst other things, new development to make a positive contribution to local character and distinctiveness. Paragraph 132 of the Framework stipulates that, 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 main farmhouse and ancillary traditional outbuildings, including those that are the subject of this application, are Grade 2 listed buildings and are therefore designated heritage assets. Therefore the impact of the development on the setting and features of interest of the listed buildings, along with the desirability of preserving the building, should be given special regard as required by the 1990 Act. As noted earlier in the report the modern barns are not considered to be listed as they are not attached to any part of the listed buildings and appear to have been constructed after 1948.

Measham Lodge Farm dates to the early 18th century and appears to have been part of the estate of Appleby Hall as it was sold at auction in 1888 (Appleby Hall Estate Sale Catalogues). The barns are also considered to date from the 18th century and comprise a former bull pen, mill, mangle building and worker's cottage/stables. The buildings are generally in a poor state of repair but retain many original elements, including the timber to the roofs, lime ash and brick flooring and internal and external openings and detailing. It is therefore considered that the traditional barns form a fine range of historic outbuildings and play a major role in the setting and understanding of the historic importance of the farmhouse and associated land uses, and although largely in a poor state of repair they remain an important part of the site. Therefore the buildings form an important part of the history of this locality and are considered to be a heritage asset of some significance which has value for this and future generations.

The modern barns are positioned separately from the range of traditional buildings. Their overall scale and form would largely remain unchanged and it is therefore considered that works to Buildings 9 and 10 would not adversely affect the setting of the listed buildings and would result in less than substantial harm to their setting.

The buildings form an important part of the setting of the principal listed building due to their historic relationship and their position on the site. As noted earlier in the report the traditional buildings are in poor condition and substantial rebuilding works would be required. Furthermore a building would also be built in the place of a previous building on its original footprint. The level of intervention would be significant and above the level normally considered suitable and would include the removal and re-laying of roof coverings, the taking down and rebuilding of several walls, the removal and re-building of internal floors, replacement of a substantial number of timber rafters and battens, the strengthening of roof trusses with steelwork, provision of better lateral restraints to walls, masonry reinforcement and repairs to walls. However the Conservation Officer considers that such is the quality of the range that in this case the level of intervention could be supported. In addition the majority of existing external openings would be used, save for where the new Building 11 would be attached to Building 6 and limited new openings are proposed, except for some additional rooflights and the provision of new openings in two of the elevations to Building 7. Existing external detailing is also proposed to be retained. The Conservation Officer therefore considers that the conversion works would respect the robust agricultural origins of the buildings.

Justification has also been provided for the erection of a new building as part of the proposal, which would adjoin Buildings 6 and 7 to reinstate a courtyard which was previously in existence as evidenced by the existence of the footprint of a previous building in this location and a photograph dating from 1954 showing a building in this location. The new building would replicate the scale and form of the former building and the recreation of this courtyard would reflect a traditional feature of Leicestershire farmsteads. The Conservation Officer supports the new building given the level of intervention elsewhere on the site.

On this basis extensive works would be required to bring the buildings back into use and their setting and their features of special architectural or historic interest would be adversely affected as such a large proportion of the buildings would need to be removed and rebuilt. However given their historic importance it is considered that this level of intervention can be justified in this case, in particular as it would result in the buildings remaining and/or being rebuilt to their current footprint, form and scale, their historic relationship with and their contribution to the setting of the farmhouse and other traditional buildings being retained, their current design largely being replicated, the re-use of existing materials and their bringing back into use. The 1990 Act requires special regard to be had to the desirability of preserving listed buildings along with their setting and features of interest. Paragraph 131 of the NPPF states that the '*...the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation...*' should be taken into account and at paragraph 132 that 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. In this case the proposal would comply with these requirements of the 1990 Act and the NPPF and the significance of the listed buildings would be retained, thereby resulting in less than substantial harm to this designated heritage asset.

Paragraph 134 of the NPPF requires less than substantial harm to designated heritage assets to be weighed against the public benefits of the proposal. The less than substantial harm to the heritage asset is in this case considered on balance to be outweighed by the bringing back into use of the listed buildings and their rebuilding/repair resulting in the buildings retaining their historic form and importance and their relationship with and setting to the principal listed building.

### **Visual Impact**

The traditional buildings alongside the farmhouse make a positive contribution to the character of the area as they are a form of development that would traditionally be found in a rural area although they are not particularly prominent in the landscape due to screening from other buildings. The more modern buildings make less of a contribution due to their scale and design although they are more prominent. As the overall form and scale of both the traditional and modern buildings would be retained and the new building would be sited well within the site, it is considered that the proposals would not be significantly detrimental to the rural character of the locality.

### **Highway Safety**

The site access leads off Gallows Lane which is a classified road subject to a 60mph speed limit. A Highways Statement accompanies the application which includes the results of a speed survey and an analysis of traffic movements.

The County Highway Authority initially recommended refusal on the following grounds:

1. *The proposal, if permitted, would lead to a significant increase in turning traffic using an*

*access onto a busy, unrestricted (60mph) Class II (B4116) road where the turning manoeuvres would be an additional source of danger to road users which would not be in the interests of highway safety.*

*2. The Applicant has failed to demonstrate that their proposal will be in a location that is readily and safely accessible by walking, cycling and public transport. Leicestershire County Council policy contained in the 'Local Transport Plan 3' and policy IN6 of the '6Cs Design Guide' seeks to deliver new development in areas where travel distances can be minimised, and genuine, safe and high quality choices are available (or can be provided) for people to walk, cycle and use public transport facilities. The 'LTP3' and the '6Cs Design Guide' reflect Government guidance contained in the 'National Planning Policy Framework'.*

Matters pertaining to the second reason for refusal have been considered earlier in the report in the section entitled 'Sustainability'. It was initially considered that the repair and bringing back into use of the listed buildings would outweigh the Highway Authority's concerns regarding highway safety, but that there were unlikely to be any material considerations that would outweigh these concerns in respect of Buildings 9 and 10.

Additional information relating to vehicle movements associated with the proposed uses and the agricultural operation of the site has been submitted by the agent. Furthermore the agent has suggested that the planning permission relating to a military vehicle storage area located elsewhere within the Measham Lodge Farm site (13/00205/FUL) (which was previously used in connection with the Tankmania site located on the eastern side of Gallows Lane but is no longer in such use as the vehicles are now stored at the Tankmania site itself) could be extinguished via the use of a legal agreement (the Council's solicitors have been instructed in respect of this matter), along with the closure of the access to this former storage area located further to the north along Gallows Lane. Information relating to the likely vehicle movements from the future use of this storage area has also been provided. The agent has also suggested that a condition be imposed which removes permitted development rights for the further erection of agricultural buildings on land within the applicant's ownership. It is considered reasonable in this case to impose such a condition and another preventing future changes of use of the buildings given that the issues relating to highway safety are finely balanced and other more intensive uses of the buildings or additional agricultural buildings could generate a greater level of traffic.

Following further consideration of this information, the Highway Authority advised that if the general industrial (B2) use of Buildings 9 and 10 was removed from the application it would be more likely to support the proposal.

In light of the above considerations, the Highway Authority has made the following further comments:

- The Highway Authority would normally seek to resist development that would lead to the increase of traffic turning onto a high speed A or B-road;
- The Highway Authority has therefore undertaken a desk exercise using the TRICS database to attain the potential increase in traffic that the proposal could lead to. The Highway Authority finds it reasonable to suggest that the current farm use and the use of the 400 square metre area storage and maintenance use (permitted under 13/00205/FUL) would create around 85 trips per day;
- On the basis of the submitted plans, it is clear that the agricultural use of the farm is to remain in use and it is therefore reasonable to suggest that the proposal could potentially create an increase as shown below:
  - o The proposed B1 and B2 including the existing farm use, could create around 124 trips per day;;

- o The proposed B1 and B8 including the existing farm use, could create around 104 trips per day
- The Highway Authority therefore finds it appropriate to suggest that even with the removal of the proposal for B2 use, that the B1 and B8 uses alongside the existing use will still lead to an increase in traffic above the current traffic flows of the farm and the 400 square metre area for storage and maintenance use;
- In addition, following discussions between the applicant and NWLDC, the applicant has agreed to a condition to close up the secondary access to the site which is seen as a highway gain due to being able to reduce the number of accesses onto a high-speed road. The legal agreement to extinguish the permission for the 400 square metres area for storage and maintenance use would also reduce the amount of traffic turning on a high-speed road;
- The application has therefore been amended as follows:
  - o Remove the B2 use from the proposal;
  - o Closing of the secondary access to the site;
  - o Legal agreement to extinguish the 400 square metres area for storage and maintenance use;
  - o Undertake improvements to the site access as required by conditions.

Taking into consideration all of the above, the Highway Authority advises that the proposals are acceptable, subject to conditions and it has withdrawn both its objections.

### **Public Right of Way**

Public right of way P90 runs along the access drive before turning north where its route is affected by the position of one of the buildings at the site which does not form part of the current application. The County Footpaths Officer is concerned that the proposal would result in considerable intensification of use of the access drive which would have an impact on the enjoyment of users of the right of way as well as their safety. The County Footpaths Officer goes onto suggest that means of mitigating against the impact on users of the right of way need to be incorporated along the access drive although the preference would be for the right of way to be diverted away from the access drive. The County Footpaths Officer has also advised that segregating users of the public right of way from the access drive would require a Diversion Order but the provision of an additional two metre wide verge adjacent to the access drive would not require such an Order. The agent has submitted a scheme which includes a grass verge alongside the access drive which would allow users of the right of way to proceed safely if traffic was using the driveway and comments are awaited from the County Footpaths Officer which will be reported on the Update Sheet.

The positioning of one of the buildings at the site across the route of the public right of way is not a matter that can be considered as part of this application and would be dealt with under separate legislation.

The County Footpaths Officer also advises that public footpath P85 also crosses Gallows Lane approximately 100 metres to the south of the access drive and any alterations to the visibility splays from the access should consider pedestrians crossing the road. The Highway Authority has not suggested any conditions which require amended splays to be provided.

### **Protected Species**

Extensive works are proposed to the existing buildings and the site and is adjacent to open fields with hedgerows, which are features that could be used by European Protected Species (EPS) or national protected species. As EPS may be affected by a planning application, the Local Planning Authority has a duty under regulation 9(5) of the Habitats Regulations 2010 to have regard to the requirements of the Habitats Directive in the exercise of its functions. A bat

survey of the buildings has been submitted which found no evidence of bats and the buildings were considered to be of low potential for bats. The County Ecologist has no objections and advises that no further surveys are required. A condition can be imposed relating to breeding birds. The majority of the works would be to existing buildings and would be well contained within the site. The likely extension of the route of the public right of way would result in the use of a small part of the adjacent field. On this basis it is considered that protected species would not be adversely affected by the proposal.

### **Impact on the River Mease SAC/SSSI**

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC). Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Therefore an assessment of whether the proposal would have a significant effect on the SAC is required.

The River Mease Developer Contribution Scheme (DCS) has been produced to meet one of the actions of the River Mease Water Quality Management Plan (WQMP). The DCS advises that all new development which contributes additional wastewater to the foul water catchment areas of the treatment works within the SAC catchment area will be subject to a developer contribution. The DCS is considered to meet the three tests of the 2010 CIL Regulations and paragraph 204 of the NPPF.

The application indicates that the foul drainage would be treated by a package treatment plant with soakaways located to the south west of the proposed office buildings and surface water would discharge to an existing system where it is piped to a sump and into an open ditch. Such plant treats the waste and discharges some of its contents into the ground via soakaways, with some remaining within the tank which should be collected and disposed of by a licensed collector. The discharge into the ground from the plant or its emptying at a sewage treatment works within the SAC catchment area could adversely affect the River Mease SAC.

The Environment Agency has no objections as there is not a mains sewer within a reasonable distance of the site. Natural England has no objections subject to conditions including requiring the applicant to obtain the relevant permit from the Environment Agency should the discharge rate increase above a certain level. Such a condition could not be imposed as this matter is dealt with by separate legislation and Natural England has advised they are satisfied with this.

The management of non-mains drainage systems is dealt with by the Environment Agency as 'competent authority' under the Environmental Permit system. Furthermore the Authority's ecological advisors have advised that legal agreements are not required for the emptying of package treatment plants as they are usually emptied no more than once a year and none of the Severn Trent Water treatment works in the SAC catchment area accept waste from licensed waste collectors. Severn Trent Water has confirmed that waste from such tanks does not go to any of the Severn Trent Water Waste Treatment Works within the SAC catchment area and that this arrangement will continue in perpetuity. It is considered that the package treatment plant/soakaways would be too far away from any watercourse for any of its discharge to adversely affect the SAC. There would be no increase in surface water runoff as no additional roofs/hardstanding is proposed and the surface water drainage scheme can be secured by condition. It is considered reasonable to impose a condition removing permitted development rights in this case as more intensive uses of the buildings could adversely impact on the SAC.

Therefore it can be ascertained that the proposal will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River

Mease SSSI.

**Other Matters**

The proposal is likely to increase the level of activity along the access drive and within the site as a result of comings and goings and noise from use of the storage buildings and activity on the site. No extensions are proposed to any of the buildings, their existing heights would be retained and the new building would be single storey. The nearest dwelling is the farmhouse at the site, which is in the applicant's ownership. In addition the office buildings are at least 10 metres from the farmhouse and the storage buildings are at least 40 metres away with the access drive over 20 metres away. The next nearest dwelling is Coronet House which is located 300 metres to the south. On this basis it is considered that the proposal would not adversely affect the residential amenities of occupiers of these dwellings from noise and disturbance or from loss of light, overlooking or creation of an oppressive environment.

The Environmental Services Manager has requested the imposition of conditions relating to contaminated land.

**Conclusion**

The listed buildings cannot be converted without major reconstruction and significant alteration so the proposal does not completely comply with Policy E24. However the proposal only fails to comply with one part of Policy E24 and as noted above will result in the repair and re-use of a Grade 2 listed building which is a designated heritage asset. The use/re-use of existing rural buildings also outweighs the site's unsustainable location. The less than substantial harm to the heritage asset is in this case considered on balance to be outweighed by the bringing back into use of the listed buildings and their rebuilding/repair resulting in the buildings retaining their historic form and importance and their relationship with and setting to the principal listed building. The proposal would not result in adverse impacts on the character and visual amenities of the area, on protected species or on residential amenities. The County Highway Authority's concerns regarding highway safety have been addressed by mitigation measures and the potential for impact on the public footpath could be addressed by condition. It can be ascertained that the proposal will, either alone or in combination with other plans or projects, have no likely significant effect on the internationally important interest features of the River Mease SAC, or any of the features of special scientific interest of the River Mease SSSI. There are no other relevant material planning considerations that indicate planning permission should not be granted. It is therefore recommended that planning permission be granted.

**RECOMMENDATION- PERMIT, subject to the following condition(s) and the signing of a legal agreement:**

**(subject to no contrary observations by 8 October 2015)**

- 1 The development 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).*

- 2 The development shall be carried out strictly in accordance with the following schedule of plans, unless otherwise required by a condition of this permission:
  - Location Plan (1:5000) received by the Local Planning Authority on 1 July 2015;
  - Drawing No. MLF-BLK-021. Rev F (Site - Block - Roof Plan - with red line boundary)

received by the Local Planning Authority on 1 July 2015;

- Drawing No. MLF.EXP.001 (Barn 4 - Existing Plans/Section) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXE.002 (Barn 4 - Existing Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.013 Rev B (Barn 4 Proposed Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.014 Rev B (Barn 4 Proposed Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXP.003 (Barn 6 - Existing Plans/Sections) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXE.004 (Barn 6 - Existing Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.015 Rev A (Barn 6 Proposed Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.016 Rev A (Barn 6 Proposed Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXP.005 (Barn 7 - Existing Plan, Elevations and Section) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.017 Rev A (Barn 7 Proposed Plans and Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXP.009 (Barn 9 - Existing Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXE.010 Rev A (Barn 9 - Existing Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRE.022 (Barn 9 - Proposed Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.23 (Barn 9 - Proposed Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXP.011 (Barn 10 - Existing Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXE.012 Rev A (Barn 10 - Existing Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRE.024 (Barn 10 - Proposed Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.25 (Barn 10 - Proposed Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.EXP.006 (Barn 11 - Existing Plans) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.019 (Barn 11 Proposed Plan) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.PRP.020 Rev A (Barn 11 Proposed Elevations) received by the Local Planning Authority on 12 June 2015;
- Drawing No. MLF.DRA.026 (Indicative Drainage Strategy) received by the Local Planning Authority on 12 June 2015;
- Drawing No. DSO468P Issue 3 (BD/BE Biodisc General Dimensions Customer Drg) received by the Local Planning Authority on 12 June 2015.

*Reason- To determine the scope of this permission.*

- 3 No development shall commence on site until such time as a full inventory of all internal and external works to Buildings 4, 6 and 7 have been submitted to and agreed in writing

by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

*Reason- in the interests of preserving the setting and important features of the listed buildings.*

- 4 No development shall commence on site in respect of each of Buildings 4, 6, 7 and 11 until such time as details/drawings/representative samples (as appropriate) of the following details for the relevant building:-
- i. bricks, lime mortar type and brick bond;
  - ii. roof materials;
  - iii. proposed timber door and window units and rooflights (including cross-sections), to a scale of 1:10 and details of their type and colour of paint finish;
  - iv. proposed treatment to the headers/arches and cills of all door and window openings, to a scale of 1:10;
  - v. fascias, verges and eaves to a scale of 1:10;
  - vi. all rainwater goods, including colour and materials;
  - vii. any other external materials;
  - viii. materials for internal floors;
  - ix. design of replacement roof timbers/trusses/beams to a scale of 1:10;
  - x. retention of existing external and internal features;
  - xi. the recessing of the doors/windows to the east elevation of Building 7;

have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details which shall thereafter be so retained.

*Reason- to enable the Local Planning Authority to retain control over the external appearance in the interests of preserving the setting and important features of the listed buildings.*

- 5 No development shall commence on site in respect of each of Buildings 9 and 10 until such time as details of new/replacement external materials have been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details.

*Reason: in the interests of visual amenities and the setting of the listed buildings as precise details have not been provided.*

- 6 Before first occupation of any part of the development hereby approved, details of a soft and hard landscaping scheme and boundary treatments for the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed soft landscaping scheme shall be provided in the first planting and seeding season following the first occupation of any part of the development hereby approved and the hard landscaping and boundary treatments shall be provided before first occupation of any part of the development hereby approved, unless alternative implementation timescales are first agreed in writing with the Local Planning Authority.

*Reason- to ensure a satisfactory landscaping scheme is provided within a reasonable period; in the interests of visual amenity.*

- 7 Any tree or shrub which may die, be removed or become seriously damaged shall be replaced in the first available planting season thereafter and during a period of 5 years from the first implementation of the approved landscaping scheme or relevant phase of



the scheme, unless a variation to the landscaping scheme is agreed in writing with the Local Planning Authority.

*Reason- to provide a reasonable period for the replacement of any trees.*

- 8 Notwithstanding the provisions of Part 7 (Classes F, G, H and J) of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order) no part of the development hereby permitted shall be enlarged, improved or altered unless planning permission has first been granted by the Local Planning Authority.

*Reason - To enable the Local Planning Authority to retain control over future development in view of the buildings being listed buildings or in close proximity to listed buildings.*

- 9 Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting these Orders) Buildings 4, 6, 7 and 11 shall only be used for Class B1 office use and Buildings 9 and 10 shall only be used for Class B8 storage and distribution use and for no other uses whatsoever.

*Reason: alternative uses could also result in other adverse planning impacts in relation to impact on the River Mease SAC/SSSI and on highway safety.*

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no agricultural buildings shall be erected on the land edged in red and blue on the 1:5000 Location Plan.

*Reason: To ensure replacement buildings are not erected which could give rise to an unacceptable increase in traffic using the access.*

- 11 Other than connection to the proposed biodisc treatment plant shown on Drawing No. MLF.DRA.026 (Indicative Drainage Strategy) and Drawing No. DSO468P Issue 3 (BD/BE Biodisc General Dimensions Customer Drg) no foul drainage system (including connection to the mains sewer system or installation of a cesspool, septic tank or on-site sewage treatment plant) shall be installed to serve the development hereby approved until details of the proposed drainage system have been submitted to and agreed in writing by the Local Planning Authority. Once the agreed drainage system has been installed it shall thereafter be so retained.

*Reason: to prevent an adverse impact on the River Mease Special Area of Conservation.*

- 12 Before the replacement or new roof materials are installed to any of the buildings, the surface water drainage scheme shall be provided in accordance with the details shown on Drawing No. MLF.DRA.026 (Indicative Drainage Strategy) which shall thereafter be so retained in perpetuity.

*Reason: to prevent an adverse impact on the River Mease Special Area of Conservation.*

- 13 Operations that involve the removal of roofs/walls or parts of roofs/walls to buildings on the site shall not be undertaken during the months of March to September inclusive unless otherwise submitted to and agreed in writing by the Local Planning Authority that

breeding birds will not be adversely affected by any works.

*Reason: to reduce the impact of the proposal on nesting birds, which are a protected species.*

- 14 Notwithstanding the submitted plans, no development shall commence on site until such time as a scheme for the provision of a two metre wide grass verge on the northern side of the access drive (taking into account the widening requirements set out under condition 20) has been submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be provided in full before the bringing into use of any part of the development hereby approved and shall thereafter be so retained.

*Reason: to protect the enjoyment and safety of users of the public right of way.*

- 15 No development shall commence on the site until such time as a construction traffic/site traffic management plan, including wheel cleansing facilities and vehicle parking facilities, and a timetable for their provision, has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and timetable.

*Reason: to ensure that construction traffic/site traffic associated with the development does not become a hazard to road users.*

- 16 Notwithstanding the submitted plans, before any part of the development hereby approved is first brought into use, details of parking provision for a minimum of forty car parking spaces, three lorry parking spaces and five covered cycle stands are to be provided within the site shall be submitted to and agreed in writing by the Local Planning Authority. The agreed scheme shall be provided, hard surfaced and made available for use before any part of the development is brought into use and shall thereafter be permanently so retained.

*Reason: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.*

- 17 Before first use of any part of the development hereby permitted, the existing gates to the vehicular access shown on Drawing No. MLF.BLK.021 Rev F (Site - Block - Roof Plan) shall be removed. Any new vehicular access gates, barriers, bollards, chains or other such obstructions shall be set back a minimum distance of 15 metres behind the highway boundary and shall be hung so as not to open outwards.

*Reason: To enable a vehicle to stand clear of the highway whilst the gates are opened/closed and protect the free and safe passage of traffic and pedestrians in the public highway.*

- 18 Within one month of the access onto Gallows Lane serving the development hereby approved being brought into use in connection with either the B1 or B8 uses hereby approved, the existing northern vehicular access to the site onto Gallows Lane (which is shown on the 1:5000 Location Plan within the blue-lined land) shall be closed permanently and the vehicular crossings reinstated in accordance with a scheme that has first have been submitted to and agreed in writing by the Local Planning Authority

*Reason: To protect footway users in the interests of pedestrian safety, and to reduce the number of vehicular accesses to the site and consequently to reduce the number of potential conflict points.*

- 19 Before first use of any part of the development hereby permitted, drainage shall be provided within the site such that surface water does not drain into the Public Highway including from the access drive, which thereafter shall be so maintained.

*Reason: To reduce the possibility of surface water from the site being deposited in the highway causing dangers to highway users.*

- 20 Before first use of any part of the development hereby permitted, the following shall be provided to the vehicular access to the site which shall thereafter be so retained:
- (i) widening to an effective minimum width of six metres over a distance of at least 15 metres behind the highway boundary. If the access is bounded immediately on one side by a wall, fence or other structure, an additional 0.5 metre strip will be required on that side. If it is so bounded on both sides, additional 0.5 metre strips will be required on both sides.
  - (ii) 10 metre control radii on both sides of the access;
  - (iii) surfacing with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary.

*Reason: To enable vehicles to enter and leave the highway in a slow and controlled manner and to afford easy access to the site and protect the free and safe passage of traffic in the public highway; To ensure that vehicles entering and leaving the site may pass each other clear of the highway; To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)*

- 21 Before first use of any part of the development hereby permitted, turning facilities shall be provided, hard surfaced and made available for use within the site in order to allow vehicles to enter and leave in a forward direction. The turning area so provided shall not be obstructed and shall thereafter be permanently so maintained.

*Reason: To enable vehicles to enter and leave the site in a forward direction in the interests of the safety of road users.*

- 22 The gradient of the access drive shall not exceed 1:12 for the first 15 metres behind the highway boundary.

*Reason: To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety.*

- 23 No development shall commence on site until a Risk Based Land Contamination Assessment has been submitted to and approved in writing by the Local Planning Authority, in order to ensure that the land is fit for use as the development proposes. The Risk Based Land Contamination Assessment shall be carried out in accordance with:
- o BS10175:2011+A1:2013 Investigation Of Potentially Contaminated Sites Code of Practice;
  - o BS 8576:2013 Guidance on Investigations for Ground Gas - Permanent Gases and Volatile Organic Compounds (VOCs)
  - o BS8485:2007 Code of Practice for the Characterisation and Remediation from Ground Gas in Affected Developments; and
  - o CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

Should any unacceptable risks be identified in the Risk Based Land Contamination Assessment or should any need for remedial works relating to coal mining legacy issues be identified, a Remedial Scheme and a Verification Plan must be prepared and submitted to and agreed in writing by the Local Planning Authority before development commences on site. The Remedial Scheme shall be prepared in accordance with the requirements of:

- o CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

The Verification Plan shall be prepared in accordance with the requirements of:

- o Evidence Report on the Verification of Remediation of Land Contamination Report: SC030114/R1, published by the Environment Agency 2010;

- o CLR 11 Model Procedures for the Management of Land Contamination, published by The Environment Agency 2004.

The development shall be carried out in accordance with the agreed Remedial Scheme and Verification Plan.

If, during the course of development, previously unidentified contamination or evidence of coal mining legacy is discovered, development must cease on that part of the site and it must be reported in writing to the Local Planning Authority within 10 working days. Prior to the recommencement of development on that part of the site, a Risk Based Land Contamination Assessment for the discovered contamination (to include any required amendments to the Remedial Scheme and Verification Plan) must be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be implemented in accordance with the approved details and retained as such in perpetuity, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that the land is fit for purpose and to accord with the aims and objectives of the NPPF.*

24 Prior to occupation of any part of the development, a Verification Investigation shall be undertaken in line with the agreed Verification Plan for any works outlined in the Remedial Scheme and a report showing the findings of the Verification Investigation relevant to either the whole development or that part of the development shall be submitted to and approved in writing by the Local Planning Authority. The Verification Investigation Report shall:

- o Contain a full description of the works undertaken in accordance with the agreed Remedial Scheme and Verification Plan;

- o Contain results of any additional monitoring or testing carried out between the submission of the Remedial Scheme and the completion of remediation works;

- o Contain Movement Permits for all materials taken to and from the site and/or a copy of the completed site waste management plan if one was required;

- o Contain Test Certificates of imported material to show that it is suitable for its proposed use;

- o Demonstrate the effectiveness of the approved Remedial Scheme; and

- o Include a statement signed by the developer, or the approved agent, confirming that all the works specified in the Remedial Scheme have been completed.

*Reason: To ensure that the land is fit for purpose and to accord with the aims and objectives of*

*paragraph 120 of the NPPF.*

## Notes to applicant

- 1 Planning permission has been granted for this proposal. The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process which led to improvements to the scheme. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraphs 186 and 187) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
- 2 This permission is subject to a Section 106 Agreement relating to the extinguishing of any use associated with planning permission 13/00205/FUL.
- 3 Written requests to discharge one or more conditions on a planning permission must be accompanied by a fee of £97 per request. Please contact the Local Planning Authority on 01530 454666 for further details.
- 4 This planning permission does NOT allow you to carry out access alterations in the highway. Before such work can begin, separate permits or agreements will be required under the Highways Act 1980 from the Infrastructure Planning team. For further information, including contact details, you are advised to visit the County Council website: - see Part 6 of the '6Cs Design Guide' at [www.leics.gov.uk/6csdg](http://www.leics.gov.uk/6csdg).
- 5 The highway boundary is the wall/hedge/fence etc. fronting the premises and not the edge of the carriageway/road.
- 6 A public footpath / bridleway crosses the site and this must not be obstructed or diverted without obtaining separate consent from Leicestershire County Council.
- 7 The proposal is situated in excess of 45 metres from the highway. In order to cater for emergency vehicles the drive and any turning areas shall be constructed so as to cater for a commercial or service vehicle in accordance with British Standard B.S.5906, 2005 and Building Regulations Approved Document B, Fire Safety 2006.
- 8 The applicants are advised that, under the provisions of the Site Waste Management Plan Regulations 2008, the works may require the preparation of a Site Waste Management Plan (SWMP). Further information can be obtained from the Department for Environment Food and Rural Affairs at [www.defra.gov.uk](http://www.defra.gov.uk)
- 9 The proposed development lies within an area which could be subject to current coal mining or hazards resulting from past coal mining. Such hazards may currently exist, be caused as a result of the proposed development, or occur at some time in the future. These hazards include:
  - Collapse of shallow coal mine workings.
  - Collapse of, or risk of entry into, mine entries (shafts and adits).
  - Gas emissions from coal mines including methane and carbon dioxide.
  - Spontaneous combustion or ignition of coal which may lead to underground heatings and production of carbon monoxide.
  - Transmission of gases into adjacent properties from underground sources through ground fractures.
  - Coal mining subsidence.

- Water emissions from coal mine workings.

Applicants must take account of these hazards which could affect stability, health & safety, or cause adverse environmental impacts during the carrying out their proposals and must seek specialist advice where required. Additional hazards or stability issues may arise from development on or adjacent to restored opencast sites or quarries and former colliery spoil tips.

Potential hazards or impacts may not necessarily be confined to the development site, and Applicants must take advice and introduce appropriate measures to address risks both within and beyond the development site. As an example the stabilisation of shallow coal workings by grouting may affect, block or divert underground pathways for water or gas.

In coal mining areas there is the potential for existing property and new development to be affected by mine gases, and this must be considered by each developer. Gas prevention measures must be adopted during construction where there is such a risk. The investigation of sites through drilling alone has the potential to displace underground gases or in certain situations may create carbon monoxide where air flush drilling is adopted.

Any intrusive activities which intersect, disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) require the prior written permission of the Coal Authority. Such activities could include site investigation boreholes, digging of foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes.

Failure to obtain Coal Authority permission for such activities is trespass, with the potential for court action. In the interests of public safety the Coal Authority is concerned that risks specific to the nature of coal and coal mine workings are identified and mitigated.

The above advice applies to the site of your proposal and the surrounding vicinity. You must obtain property specific summary information on any past, current and proposed surface and underground coal mining activity, and other ground stability information in order to make an assessment of the risks. This can be obtained from The Coal Authority's Property Search Service on 0845 762 6848 or at [www.groundstability.com](http://www.groundstability.com)