



Meeting: **Development Control and Regulatory Board**

Date/Time: **Thursday, 12 January 2023 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr E. Walters (Tel: 0116 3052583)**

Email: **euan.walters@leics.gov.uk**

Membership

Mr. J. G. Coxon CC (Chairman)

Mr. R. G. Allen CC Mr. D. Harrison CC
Mr. N. D. Bannister CC Mr. B. Lovegrove CC
Mr. M. H. Charlesworth CC Mr. K. Merrie MBE CC
Mr. D. A. Gamble CC Mr. L. Phillimore CC
Mr. D. J. Grimley CC Mr. C. A. Smith CC

**Please note: this meeting will be filmed for live or subsequent broadcast via the Council's web site at www.leicestershire.gov.uk
– Notices will be on display at the meeting explaining the arrangements.**

AGENDA

Item

1. Minutes of the meeting held on 17 November 2022. (Pages 3 - 4)
2. Question Time.
3. Any other items which the Chairman has decided to take as urgent.
4. Questions asked by Members under Standing Order 7(3) and 7(5).
5. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.
6. Declarations of interest in respect of items on the agenda.
7. Presentation of petitions under Standing Order 35.



Reports of the Chief Executive on Planning Applications - County Council Applications.

8. 2022/0946/07 (2022/RegMa/0069/LCC): Leicestershire County Council - Construction of Link Road extending southwards from the A511 Bardon Road. (Pages 5 - 42)

Reports of the Chief Executive on Planning Applications - County Matter Applications.

9. 2021/0683/03 (2021/CM/0041/LCC): Mick George Ltd. - Extraction of sand and gravel, Importation of inert material and topsoil for restoration of the site, installation of concrete batching plant, placement of mineral washing plant and continued use of bagging plant - Husbands Bosworth Quarry, Welford Road, Husbands Bosworth. (Pages 43 - 86)

Other reports.

10. Delegated Decisions issued 1 July 2022 to 31 December 2022. (Pages 87 - 88)

Reports of the Director of Environment and Transport on Tree Preservation Orders.

11. Delegated Decisions for works to trees protected by Leicestershire County Council Tree Preservation Orders - 1 July 2022 to 31 December 2022. (Pages 89 - 94)
12. Chairman's announcements.



Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 17 November 2022.

PRESENT

Mr. J. G. Coxon CC (in the Chair)

Mr. R. G. Allen CC
Mr. N. D. Bannister CC
Mr. M. H. Charlesworth CC
Mr. D. J. Grimley CC
Mr. D. Harrison CC

Mr. B. Lovegrove CC
Mr. K. Merrie MBE CC
Mr. L. Phillimore CC
Mr. C. A. Smith CC

41. Minutes of the previous meeting.

The minutes of the meeting held on 13 October 2022 were taken as read, confirmed and signed.

42. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

43. Questions asked by Members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

44. Urgent items.

There were no urgent items for consideration.

45. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

46. Presentation of petitions.

The Chief Executive reported that no petitions had been received under Standing Order 35.

47. Review of the Leicestershire Minerals and Waste Local Plan.

The Committee considered a report of the Chief Executive which set out the conclusions of the Review of the Leicestershire Minerals and Waste Local Plan. A copy of the report, marked 'Agenda Item 7', is filed with these minutes.

It was noted that paragraph 4.1.33 of the Review document made reference to the Growth Plan which had been announced by the Chancellor of the Exchequer on 23 September 2022 but this had now been superseded by the Autumn Statement announced on 17 November 2022 and therefore the document required updating to reflect this. It was also noted that paragraph 4.1.58 of the Review document referred to the Government's lifting of the moratorium on fracking however the moratorium had now been re-imposed.

In response to a question from a member reassurance was given that the evidence indicated that sand and gravel development proposals continued to come forward and the policy landscape was not preventing this. Current pending planning applications amounted to some 5.2 million tonnes of sand and gravel in Leicestershire. The Local Aggregate Assessments formed part of the evidence base for the Review and indicated that supply of sand and gravel would continue regardless of whether the proposed quarry near the village of Misterton was granted planning permission.

In response to further questions about whether early action could be taken to prevent the restoration of quarries being delayed it was explained that whilst the National Planning Policy Framework encouraged early engagement with communities, the County Council could not take action until the quarrying work had been completed.

Members thanked officers for their comprehensive work on the Review.

RESOLVED:

- (a) That the conclusions of the report on the Review of the Leicestershire Minerals and Waste Local Plan be supported;
- (b) That the comments now made be forwarded for consideration by Cabinet at its meeting on 16 December 2022.

48. Chairman's announcements.

The Chairman advised that the next meeting of the Board would take place on Thursday 8 December 2022 at 2.00pm.

2.00 - 2.25 pm
17 November 2022

CHAIRMAN



DEVELOPMENT CONTROL AND REGULATORY BOARD

12 JANUARY 2023

REPORT OF THE CHIEF EXECUTIVE

COUNTY MATTER

PART A – SUMMARY REPORT

- APP.NO. & DATE:** 2022/0946/07 (2022/RegMa/0069/LCC)
- PROPOSAL:** Construction of Link Road extending southwards from the A511 Bardon Road comprising a new approximately 450 metre section of highway, with provision of a shared foot/cycleway, construction of a fourth arm on existing Bardon Road/Stephenson Way roundabout junction, underbridge beneath the railway, diversion of existing public right of way (PRoW), demolition of four houses along the south side of the A511 and associated drainage works including a culvert through the railway embankment and balancing pond.
- LOCATION:** Land to the south of the A511 Bardon Road LE67 4BH
- APPLICANT:** Leicestershire County Council
- MAIN ISSUES:** Principle of development, traffic/highways matters, landscaping, ecology, local amenity and archaeology/built heritage
- RECOMMENDATION:** **APPROVE** subject to the conditions as set out in the appendix to the main report

Circulation Under Local Issues Alert Procedure

Mr. K. Merrie CC, Mr. C. Smith CC

Officer to Contact

Brian O' Donovan (Tel. 0116 305 1085).
Email: planningcontrol@leics.gov.uk

PART B – MAIN REPORT

The Site and Surroundings

1. The application site (as identified in the below Figure 1) is located to the south-east of Coalville and includes an area of approximately 8.53ha. The application site includes a linear row of residential properties along the south-western section of Bardon Road A511, at a roundabout junction between the A511 Bardon Road and Stephenson Way. Adjacent to the eastern boundary of the application site is the residential development along John Cooper Way and Cave Crescent. The southern part of the application site is predominantly open countryside which includes grassland, hedging and trees. The southern section of the application site includes a Network Rail railway line on a raised embankment, which cuts through the site in an east-west direction. There is a watercourse running in a roughly north-south direction through the application site and the topography is mainly flat and open with the exception of the railway embankment and tree and hedge field boundaries. The site is covered by the Risk of Flooding from Surface Water Maps, published by the Environment Agency as the 'Long Term Flood Risk Map2' and this map shows that part of the road is located in an area of low/medium risk of surface water (pluvial) flooding
2. There is a defined Public Right of Way footpath N86 (PROW) within the application site, starting along the southern side of the A511/Bardon Road roundabout junction and runs in a south-westerly direction through the site to Wainwright Road. Within the southern section of the application site there are two candidate Local Wildlife Sites (cLWS): Coalville Grassland and Scrub, and Coalville Wet Woodland. There is one tree subject to a Tree Protection Order and the site is located within the National Forest. The application site is not located within a Conservation Area, nor is there any listed buildings within the defined boundary. The closest two listed buildings are the Grade II* listed Church of St John the Baptist (1361240), located approximately 890m south-west of the application site and the Grade II listed Christ Church (1074360), located approximately 860m north-west of the application site. The eastern boundary of the Coalville Conservation Area is located approximately 1km from the application site. There are no world heritage sites, scheduled monuments, registered parks and gardens or registered battlefields within the 1 km study area.
3. The application lies within an area allocated for housing development within the NWLDC Local Plan under policy H1h: Land North and South of Grange Road, Hugglescote. Policy allocation H1h comprises a predicted capacity of 3,500 dwellings.



Figure 1 – Site Location Plan

Background/Planning History

4. The proposed development forms a part of the wider Leicestershire County Council's A511 Growth Scheme. This Scheme aims to deliver a range of improvements along the A511 Major Road Network (MRN). These highway works include improvements to be made to nine locations between the A42 Junction 13 at Ashby to the Field Head roundabout near Junction 22 of the M1; upgrading a section of Stephenson Way from a single to a dual carriageway; and the construction of the Bardon Link Road (the proposed development) which links the A511 with the housing development on Grange Road. The intention is for some of these works to be carried out under permitted development rights afforded to the applicant, whilst this proposed aspect of the wider scheme requires an application for planning permission.
5. The aforementioned housing developments on Grange Road relate to the following planning permissions which have been granted by North West Leicestershire District Council:
 - Planning Application Ref. 12/00376/OUTM - Land North Of Grange Road Hugglescote Coalville Leicestershire LE67 2BQ - Residential development of up to 800 dwellings with associated highway works, including demolition

of existing buildings, drainage infrastructure, formation of two new accesses onto Grange Road, a local centre (comprising uses within classes A1-A5, B1, C2, C3 and D1 of the Use Classes Order), new primary school, public open space, play areas and landscaping (Outline - all matters (other than part access) reserved) – Approved subject to conditions (12/07/2012).

- Planning Application Ref. 13/00956/OUTM - Land Off Grange Road, Hugglescote, Leicestershire - Development of up to 2,700 dwellings, up to 2 Ha for a new local centre including up to 2,000 sqm for A1, A2, A3, and A5 uses, up to 499 sqm for public house restaurant, up to 400 sqm for children's day nursery and up to 500 sqm for new medical centre; new primary school, on-site National Forest planting and areas of public open spaces, new bus routes and bus infrastructure and associated highways and drainage infrastructure. (Outline - all matters reserved) – Approved subject to conditions and S106 agreement (26/09/2016).

Description of Proposal

Overview

6. This planning application forms a part of the wider Leicestershire County Council's A511 Growth Scheme. This Scheme aims to deliver a range of improvements along the A511 Major Road Network (MRN). These highway works include improvements to be made to nine locations between the A42 Junction 13 at Ashby to the Field Head roundabout near Junction 22 of the M1; upgrading a section of Stephenson Way from a single to a dual carriageway; and the construction of the Bardon Link Road (the proposed development) which links the A511 with the housing development on Grange Road

Highway

7. The proposal would see the construction of a new highway that would run in a north-south direction from the existing A511 Bardon Road roundabout junction with Stephenson Way, creating a fourth arm to the existing roundabout. The proposed link road would extend 450m in length from the southern section of Bardon Road, with a total carriageway width of the 6.75m. The link road would extend southwards beyond the rear of the properties on this section of Bardon Road and would link to the spine road being delivered as part of the Grange Road residential development.

Structures

8. To enable the proposed link road to be created along the southern section of Bardon Road, it is proposed to demolish four of the existing properties along this part of the highway.
9. The proposed development also includes the creation of a 12m in length underbridge to enable the proposed road to pass beneath the existing operational railway line to the southern section of the application site. This is proposed to be a 13m wide square shaped structure which would also enable pedestrian/cycle users.

Drainage, Culvert and Balancing Ponds

10. The proposed development includes a Sustainable Drainage system (SuDs) incorporating a balancing pond, a new 1.2m culverted storm pipe and a series of new storm water pipes also included within the design of the scheme. This would enable the facilitation of the controlled flow of flood water through the railway embankment to a proposed balancing pond.

Non-motorised Users

11. The proposed development includes a shared cycleway/footway to be included on both sides of the proposed highway. This is proposed to be 3m in width to both sides from the roundabout to the southern end of the proposed underbridge. To the south of the underbridge, a 3m wide cycleway/footway will continue on the eastern side of the proposed link road, whilst the western side will reduce to 2m in width to integrate with the proposed development to the south.
12. The existing N86 PRow cuts through the Site, from the A511, heading south and through the existing underpass. It is proposed that the N86 PRow is diverted to facilitate a crossing of the new road. It is proposed to provide an uncontrolled crossing with tactile paving at this location.

Ecology Mitigation & Biodiversity Net Gain (BNG)

13. A Biodiversity Net Gain Report (and accompanying Biodiversity Metric) has been submitted. Based on the current plans for the application site, the proposed development is predicted to result in a net gain of 12.19% for area-based habitat units, a net gain of 119.19% for hedgerow units and a net gain of 1.92% for river units. All habitat scores adhere to the local requirement of conserving, restoring, or enhancing biodiversity. The proposal also provides appropriate mitigation for impacts to mature plantation or secondary woodland and cLWSs present on the Site in the form of woodland and tree provision. The development also provides appropriate mitigation for the loss of a length of the watercourse by means of enhancement of the northern section of the watercourse and the creation of a new length of ditch.
14. Surveys and mitigation measures have also been provided in relation to protected and notable species present within the application site including bats, badgers, grass snake, aquatic invertebrates and invasive non-native species.

Landscaping

15. The Proposed Development comprises the construction of a new two-way highway (single lane in both directions) which is to extend to a length of approximately 450m. The Proposed Development is to enable access from the A511 Bardon Road to a new residential estate to the south of the site (Lower Grange Farm). The proposal will also include a shared footway / cycleway on both sides of the highway and landscape mitigation again on both sides of the proposed highway. It will also include typical water drainage features and is to be constructed at grade. The proposal includes the demolition of four residential dwellings to the southern side of the A511 Bardon Road (northern boundary of

the site) to enable the creation of the link road to the residential development to the south.

16. The application is accompanied by a Landscape Appraisal Summary which has undertaken an appraisal of likely effects on landscape character and visual amenity arising from the proposed development. Visual impacts of the proposed development have been evaluated for eight representative locations in the wider study area of the application site.

Noise

17. The operation of the proposed development has the potential to result in both beneficial and adverse permanent traffic noise impacts. Additional mitigation is proposed to address the significant adverse effects predicted on Bardon Road and John Cooper Way comprising the installation of 1.8m close board environmental barriers. This would reduce the potential increases in traffic noise levels to the occupiers of properties on Bardon Road and John Cooper Way mitigating any adverse impact upon amenity.
18. Detailed consideration of the potential effects and identification of appropriate measures to minimise effects during construction as far as practicable will be reviewed within a Construction Environmental Management Plan (CEMP), prepared and implemented by the Principal Contactor appointed to construct the proposed development. The CEMP will include a range of best practice measures associated with mitigating potential environmental impacts.

Planning Policy

The Development Plan

North West Leicestershire District Council Local Plan (NWLLP - adopted March 2021)

19. The relevant policies of the NWLLP are set out below:
 - Policy S1 – future housing and economic development needs;
 - Policy S2 – Settlement Hierarchy;
 - Policy D1 – Design of new development;
 - Policy D2 – Amenity;
 - Policy H1 – Housing provision: planning permissions;
 - Policy Ec5 – East Midlands Airport: Safeguarding;
 - Policy IF4 – Transport Infrastructure and new development;
 - Policy IF5 – Leicester to Burton rail line;
 - Policy En1 – Nature Conservation;
 - Policy EN3 – National Forest;
 - Policy En6 – Land and Air Quality;
 - Policy He1 – Conservation and enhancement of North West Leicestershire’s historic environment;
 - Policy Cc2 – Flood Risk;
 - Cc3 – Sustainable Drainage Systems.

*Hugglescote and Donington le Heath Neighbourhood Plan 2019 – 2031
(adopted November 2021)*

20. As the southern half of the application site is located within a Designated Area within the Neighbourhood Plan the relevant policies of the Neighbourhood Plan are set out below:
- Policy G1: Limits to Development;
 - Policy G2: South-East Coalville Development Scheme;
 - Policy G3: Design;
 - Policy ENV2: Protection of Sites of Environmental Importance;
 - Policy ENV6: Biodiversity and Habitat Connectivity;
 - Policy T3: Leicester to Burton Railway Line.

National Policy

National Planning Policy Framework (NPPF)

21. The National Planning Policy Framework 2021 (NPPF) sets out the Government's planning policies for England and is a material consideration in planning decisions.
22. The NPPF advocates a presumption in favour of sustainable development at paragraph 11, and for decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or,
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against NPPF policies.
23. Paragraph 110 of the NPPF outlines that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code 46; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
24. Paragraph 111 of the NPPF states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

25. Paragraph 112 of the NPPF states that development should:
- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;
 - b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;
 - c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;
 - d) allow for the efficient delivery of goods, and access by service and emergency vehicles.
26. Paragraph 92 of the NPPF states that decisions should aim to achieve healthy, inclusive and safe places which:
- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;
 - b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of attractive, well-designed, clear and legible pedestrian and cycle routes, and high-quality public space, which encourage the active and continual use of public areas; and
 - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.
27. Section 12 of the NPPF covers achieving well-designed places outlining the importance of good quality design, whilst also outlining the importance of trees from a visual perspective. Section 14 relates to meeting the challenge of climate change and flooding matters.
28. Section 15 of the NPPF covers conserving and enhancing the natural environment. Paragraph 174 advises that planning decisions should: contribute to and enhance the natural and local environment by: recognising the intrinsic character and beauty of the countryside and landscapes; minimising impacts on and providing net gains for biodiversity by establishing coherent ecological networks; and preventing unacceptable levels of pollution.
29. Paragraph 185 of the NPPF states decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider

area to impacts that could arise from the development. This includes noise, air and lighting impacts.

30. Paragraph 195 of the NPPF states that Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

Other Material Considerations

Leicestershire Local Transport Plan 3

31. The Leicestershire Local Transport Plan 3 (LTP3) Strategy was published in 2011 with implementation plans published for each three year period. The LTP3 covers the county of Leicestershire, including the City of Leicester, seven Boroughs and several towns including Coalville. The Local Transport Plan strategy recognises that a number of towns experience 'appreciable congestion' with Coalville being one of the four towns mentioned.

Leicestershire Highway Design Guide, Interim Guidance 2022

32. The Leicestershire Highway Design Guide deals with highways and transportation infrastructure for new development in areas where LCC is the highway authority. The current interim updated version (January 2022) is currently under review. It sets out adoption standards for roads.

North West Leicestershire District Council Infrastructure Delivery Plan

33. The North West Leicestershire Infrastructure Delivery Plan identifies that highway infrastructure improvements at various junctions along the A511 corridor will play an imperative role in addressing the infrastructural constraints placed on the Coalville Growth Corridor and unlocking further development. It identifies the following improvements:

- Capacity enhancements including localised widening works;
- The restriction of selected turning movements;
- The introduction of signal control;
- The delivery of a Bardon Link Road between Bardon Road and Beveridge Lane.

South East Coalville Leicestershire Development Brief (July 2013)

34. The South East Coalville Leicestershire Development Brief outlines the importance of a vehicular access to the A511 at the junction of Bardon Road and Stephenson Way from the land proposed to be developed to the south.

The Interim Coalville Transport Strategy (September 2021)

35. The Interim Coalville Transport Strategy details the existing transport challenges comprising; the congestion on the A511 and low levels of non-

motorised user trips. The Strategy also details future growth challenges identifying that Coalville is an area which is under pressure from development. Adding to this is the significant growth planned for Coalville as part of the NWLDC Local Plan with its vision for Coalville as a town that has grown significantly and benefitted from major investment in new infrastructure by 2031. This includes the creation of a junction improvement and link road at the Bardon Road A511 and Stephenson Way Junction.

Consultations

36. **North West Leicestershire District Council (Planning)** – No objection subject to further details being submitted in relation to the material/finish of the proposed underpass feature of the proposal.
37. **North West Leicestershire District Council (Environmental Health Officer)** – No objection.
38. **Hugglescote & Donnington Le Heath Parish Council** –No objection. The Parish Council have stated that members are pleased to see that this link road is being constructed as this is long overdue in the locality.

The Parish Council have queried the impacts to the land originally identified within the residential scheme determined by NWLDC and potential agreements between the applicant and the developer of the residential development. The applicants responded to this with regard to the business case for the County Council and safeguards in the existing s106 agreement. This information was sent to the Parish Council for further comments – no further comments received.

39. **Coalville South ED Mr Keith Merrie CC**– Mr Merrie has outlined 3 concerns which affect the residents for any major construction project:

- HGV access and egress during construction – to avoid Hugglescote and Ellistown;
- Wheel wash facilities for vehicles leaving the site onto the public highways;
- Debris on the highway – both roads and footpaths.

Given the above concerns Mr Merrie asked the following questions:

- How can we make this project one to be proud of and for the developers to be considerate developers?
- Can we please make it a pre-requisite for Principal Contractor to ensure all other contractors get the preferred access/egress route for HGVs and they must use this route when they bid?
- Can we ensure the principal contractor ensure there is adequate and sufficient HGV access/egress signage at the major routes M1, A511, A447 to direct construction traffic before they get to the villages?

Following the confirmation from the LHA that they had no objections subject to conditions, this information was sent to Mr Merrie for comment with particular attention drawn to the requirement for a condition for a Construction Traffic and Environmental Management Plan. Once a principal contractor is employed by the applicant, they will need to provide this detailed Plan. Mr Merrie reviewed this and noted that a meeting with the principal contractor is also requested. The applicant and their Project Management team have confirmed that they are happy to facilitate this request and this information has been relayed to Mr Merrie.

40. **Coalville North ED Mr Craig Smith CC-** No comments received.
41. **LCC Highways Authority** – The initial comments from the Local Highway Authority (LHA) requested changes and clarifications from the applicant in relation to the highway scheme design and the junction modelling.

Additional information was submitted by the applicant seeking to provide clarifications in relation to the above and additional information in the form of revised plans (inclusion of bollards and road markings, auto tracking drawings, visibility splays and underbridge cross section plan with updated dimensions). Following review of these documents, the LHA confirmed that the relevant aspects of the design are now acceptable to HDM in planning terms, except for the vehicle tracking and the No. 36 driveway works. Some additional information in relation to junction modelling was also requested.

The further information was submitted to address the above concerns in the form of additional plans and a Transport Assessment Addendum. The LHA confirmed that in their view the impacts of the development on highway safety would not be unacceptable and when considered cumulatively with other developments, the impacts on the road network would not be severe. Subject to conditions, the LHA have no objections to the proposal.

42. **LCC Landscape** – No objection subject to conditions.
43. **LCC Archaeology** – Initial comments provided outline that further information would be required from the applicant in the form of undertaking an archaeological evaluation of the application area (geophysical survey and trial trenching).

Following the submission of additional information, County Archaeologists confirmed that they are now able to withdraw the recommendation for pre-determination trial trenching, and to revise the recommendation to a programme of post-determination mitigation secured by condition on any planning approval.

44. **LCC Ecology** – No objection subject to conditions.
45. **Lead Local Flood Authority (Leicestershire County Council)** – No objection subject to conditions.
46. **LCC Heritage** – No objection.
47. **Environment Agency** – No comments.

48. **LCC Public Rights of Way** – No objection subject to conditions
49. **Network Rail** – No comment to make subject to the developer entering into any necessary agreements and licences and agreement on bridge and culvert design.
50. **Leicestershire Bridleways Authority** – No comments
51. **Leicestershire Footpaths Association** – No comments

Publicity and Representations

52. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
53. A total of 2 representations (one person provided several separate comments), identified as objecting to the proposal have been received. Reasons for objection include, in summary:
 - Speeding concerns;
 - Traffic increase has been exponential at Bardon Road over the past years and this will only increase now;
 - Concerns over getting in and out of driveways with fast moving traffic;
 - Compensation for devaluing property;
 - Concerns over ongoing vibration and house shaking;
 - Cut off walk to the dismantled railway;
 - Add to the destruction of the wider area;
 - Destroy animal and wildlife habitats;
 - Concerns over corruption and wanting to take the Council to court for passing the application before considering comments and difficulties objecting to these plans.
54. One comment has been received from the developers at the adjacent residential development to the south requesting that the applicant engages in further discussions with them as the balancing pond design evolves to ensure the delivery of a comprehensive set of proposals. This information has been relayed to the applicant.
55. Following the submission of some minor amendments in the form of the creation of additional shared space, additional grass verging, additional bollards and raised kerbing to one side of the footway, additional letters were sent to the relevant properties on 1st December 2022. One comment has been received from an individual that has previously made representations. They have not referenced any concerns in relation to plan amendments but have re-iterated concerns in relation to speeding, access to driveway, value of property and intention to take the county and district councils to court. They have also noted that the developers should be speaking to residents about their plans.
56. The issues raised are considered in the Assessment of Proposal section of this report.

Assessment of Proposal

57. The application should be determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, the main issues for consideration relate to the principle of development, highways considerations including highway safety and traffic generation, landscape, ecology and archaeology.

Principal of Development

58. Policy S1 (Future housing and economic development needs) of the North West Leicestershire Local Plan (NWLLP) outlines that over the plan period to 2031 provision will be made to meet the housing and employment land needs of the district as identified in the Leicester and Leicestershire Housing and Economic Development Needs Assessment. Provision will be made for the development of a minimum of 9,620 dwellings (481 dwellings per annum).
59. Policy S2 (Settlement Hierarchy) focuses significant development on locations which are best positioned and which are, or can be, sustainable. Coalville Urban Area is identified as a Principal Town and the largest amount of development should be directed here.
60. Policy IF4 (Transport, Infrastructure and New Development) New development will be expected to maximise accessibility by sustainable modes of transport, having regard to the nature and location of the development site, and contribute towards improvement of the following where there is a demonstrable impact as a result of the proposed development:
- (a) The provision of cycle links within and beyond sites so as to create a network of cycleways across the district, including linkages to key Green Infrastructure;
 - (b) The provision of public footpath links within and beyond sites so as to enhance the network of footpaths across the district, including linkages to key Green Infrastructure.

The Policy also identifies specific highway improvements as priorities, including the A511 corridor between J22 of the M1 and J13 of the A42.

61. The North West Leicestershire Infrastructure Delivery Plan identifies that highway infrastructure improvements at various junctions along the A511 corridor will play an imperative role in addressing the infrastructural constraints placed on the Coalville Growth Corridor and unlocking further development. It identifies the following improvements:
- Capacity enhancements including localised widening works;
 - The restriction of selected turning movements;
 - The introduction of signal control;
 - The delivery of a Bardon Link Road between Bardon Road and Beveridge.
62. South East Coalville Leicestershire Development Brief (July 2013) outlines the importance of a vehicular access to the A511 at the junction of Bardon Road and Stephenson Way from the land proposed to be developed to the south.

63. The Interim Coalville Transport Strategy (September 2021) details the existing transport challenges comprising; the congestion on the A511 and low levels of non-motorised user trips. The Strategy also details future growth challenges identifying that Coalville is an area which is under pressure from development, adding to this is the significant growth planned for Coalville as part of the NWLDC Local Plan. With its vision for Coalville as a town that has grown significantly and benefitted from major investment in new infrastructure by 2031. This includes the creation of a junction improvement and link road at the Bardon Road A511 and Stephenson Way Junction.
64. The proposed creation of the Bardon Link Road and associated development would be located within the Coalville Urban Area and would create a link to the housing developments to the south of Bardon Road. This proposed link has been a source of planning and strategic policy aims for a significant time, as can be seen from the above planning policies, assessments and strategic aims of both the County and District Councils. The proposed development is intended to ease ongoing congestion in the immediate and wider area, assist in unlocking wider development potential of the area to the south of the application site and provide for improved sustainable methods of accessing Coalville Town Centre. Whilst the loss of four dwellings is regrettable in housing stock terms, the proposed developments benefits in terms of unlocking further residential development would outweigh any policy concerns in this regard. Thus, it is considered that there is in principle policy support for the proposed development, but this is subject to the following wider material considerations of the proposed development.

Highways

65. The proposed development is a link road connecting the A511 Stephenson Way / Bardon Road roundabout junction, at its northern end, with developer funded spine roads at its southern end. The scheme is approximately 450m in length. The proposal forms part of a wider package of improvements along the A511 Major Road Network (MRN) known as the A511 Growth Corridor project.
66. The proposed development will link the A511 to a series of developer funded spine roads being brought forward as part of the South East Coalville Sustainable Urban Extension (SUE), creating a new link between the A511 and Beveridge Lane. An 18 tonne weight limit is proposed to restrict HGVs from using the route and it is proposed to have a 30mph speed limit. The below Figure 2, from the Transport Assessment, shows the proposed development within the wider context including the link to developer spine roads (provided as part of separate planning permissions).

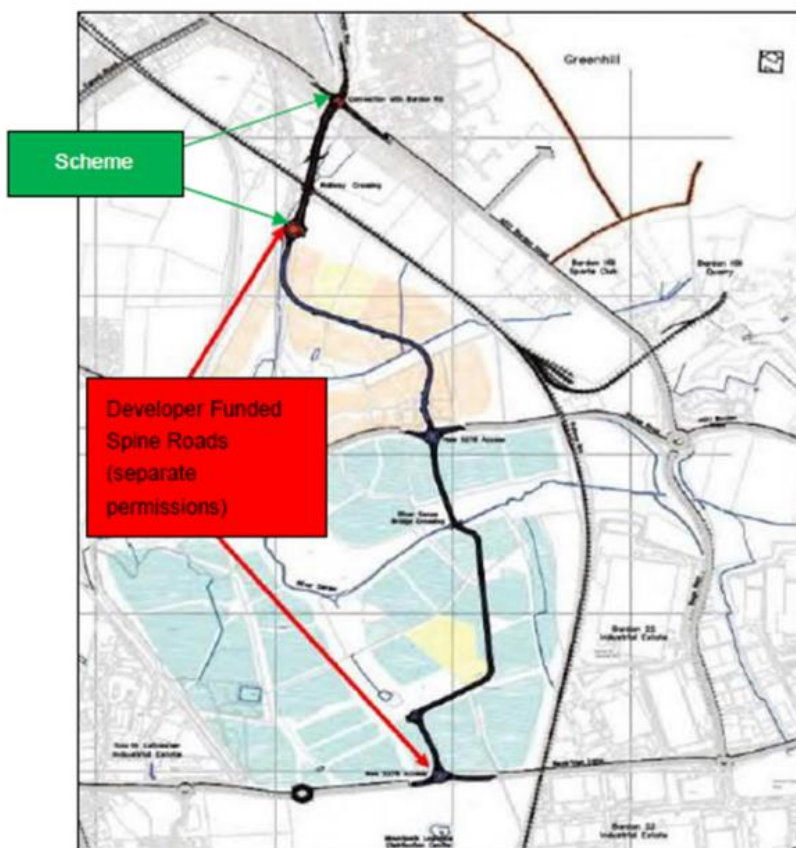


Figure 2 – Site Context

67. The submitted Transport Assessment (TA) outlines the details of the scheme including the following:

- *creation of a new link road between an already permitted residential spine road serving the Davidsons Housing Development and the A511 / Bardon junction. The carriageway width will be 6.75m.*
- *alterations to the A511 / Bardon junction to incorporate a fourth arm.*
- *provision of a new footway/cycleway alongside the new link road. The width on the eastern side of the carriageway will be 3.0m except near the corner of property no. 46 where it will reduce to 2.5m for 20m length. On the west side of the carriageway, the footway width will be 2.0m up to underpass from south to north and then it will increase to 3.0m up to the roundabout (Note: Non-Motorised User (NMU) facilities to the south of the structure have been designed to mirror the facilities within the Davidsons Housing Development – footway /cycleway on eastern side 2m footway on western side).*
- *as the road extends south from the A511 there will be traffic calming with raised vertical features.*
- *demolition of four properties to allow the link road to reach the A511.*
- *changing access to driveways. Property 36 proposed new driveway to east to allow vehicle to enter and exit in a forward gear (see Figure 3.2). Property 67 change to kerb arrangement to make driveway left out only.*
- *where an existing PRoW traverses the road a new crossing will be provided;*
- *a new structure will be installed within the network rail embankment with a minimum height clearance is 5.879m.*

The Local Highway Authority (LHA) have reviewed the submitted information (including additional information pertaining predominantly to highways design). The various highways considerations include the following:

Highways Design

68. The LHA provided a number of comments on the scheme design during the planning application determination period following an independent design review. This required the submission of the following additional information:
- Details in relation to left-turning and inclusion of bollards to No. 69 Bardon Road;
 - Clarification in relation to road markings on the roundabout;
 - Justification for speed cushions explained (environmental mitigation for badgers crossing);
 - Revised swept path-analysis;
 - Updated dimension corrections and sight stopping distance envelope shown;
 - Design alteration through the creation of an additional area of shared surfacing outside No. 36 Bardon Road to allow vehicles to enter and exit in forward gear.
69. The LHA is satisfied with the above responses and have no objection to the highway design principles of the proposed development.

Highway Safety

70. The TA has set out a detailed review of Personal Injury Collision (PIC) data provided by LCC for the six-year period between 01 January 2012 and 21 December 2021. Having reviewed the information in the TA, the LHA is content that there are no PIC patterns which would be exacerbated by the proposed link road at locations which would not be subject to improvement by the A511 Growth Corridor Scheme proposals. Accordingly, no PIC mitigation is required in connection with the proposed link road.

Traffic Flow Scenarios

71. Based on the outputs from the LHA Pan Regional Transport Model (PRTM) and junction turning counts, the following junction assessment scenarios were developed for AM and PM peak periods in both 2026 and 2036 for the junctions impacted by the proposed scheme:
- Reference Case (future year forecasts without the scheme or wider A511 corridor improvements);
 - Design Case (future year forecasts with the scheme, but without the wider A511 corridor improvements); and
 - Design Case + A511 (future year forecasts with the scheme and with the wider A511 corridor improvements).
72. The LHA have reviewed the above and are satisfied that the AM and PM peak traffic flow scenarios developed are fit for the purpose of junction modelling in the TA.

Junction Capacity Assessments

73. Following initial independent review of each junction modelled, there were a number of queries and concerns outlined with the modelling of many of the junctions under consideration. Several models were therefore required to be corrected, and the revised findings for those junctions were set out in the submitted Transport Assessment Addendum (TAA). The revised modelling has been reviewed by the LHA for each junction and are now satisfied with the models. They have noted that with the exception of junction 11/12, improvements at junctions 1, 6, 7, 13, and 15 would need to be implemented before the proposed link road were opened to traffic. This is to be secured by way of condition. It is noted that the above works which are to be conditioned are outside of the red-line and would require the use of a Grampian condition which prevents the start of a development until off-site works have been completed. The NPPG outlines that such conditions should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission. Given that the aforementioned works and associated infrastructure improvements/upgrades to the A511 are in the ownership and control of the applicant (LCC) it is considered that a Grampian condition is reasonable in this instance and realistic in terms of timeframes of implementation

Road Safety Audit (RSA)

74. The scheme was subject to Stage 2 RSA (RSA2) by LCC's Traffic and Signals team in both January 2021 and March 2021. Both audits were responded to by the Designer, with the majority of recommendations accepted. The LHA consider that the designer has satisfactorily explained the rationale behind any recommendations not accepted and therefore the LHA accept the responses given.

Transport Sustainability

75. The following elements are identified by the LHA in the proposed development from a sustainable mode of travel perspective:
- *New footway / cycle facilities which will link to the proposed development spine road to the south;*
 - *A crossing to facilitate an existing Public Right of Way (PROW); and*
 - *The proposed traffic calming is proposed via speed cushions which will be less disruptive to any future public transport services.*
76. From a strategic sustainability perspective, the LHA have identified the following:
- The proposed cycle facilities will tie into an existing local network of signed cycle routes within Coalville, linking these to the South East of Coalville SUE;
 - The proposed footway facilities will compliment PROWs in the area and link to the South East of Coalville SUE, which will include improvements to some of the PROWs; and
 - Offer a degree of flexibility for the future routing of public transport services in the area.

77. The LHA note that the proposed fourth arm at the A511 Bardon Road/Stephenson Way junction will necessitate some existing pedestrian and cycle movement along the A511 and Bardon Road needing to cross over the new carriageway. However, the arm will include a splitter island as well as dropped kerbs with tactile paving to facilitate these movements. Overall, it is considered that the proposal would have some very apparent transport sustainability benefits.
78. The LHA have concluded that the proposed development would enable improvements to congestion as part of the wider A511 Growth Corridor Scheme, as well as benefits to sustainable transport modes within the immediate vicinity of the scheme. They also deem that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021), subject to the conditions outlined above. The proposal would also adhere to policy IF4 of the NWLLP and paragraph 110 of the NPPF.

Public Rights of Way

79. Public footpath N86 passes through the scheme and is proposed to be diverted so that it travels along the proposed footway / cycle facility. An uncontrolled pedestrian crossing facility is proposed where it crosses the link road. The LHA are satisfied with the proposals for the footpath diversion subject to conditions for details to be provided for the treatment, requirement for dropped kerbs where the footpath crosses a carriage way and details of any changes to existing boundary treatments along the PRoW being submitted to the County Planning Authority. Thus, the proposal is considered to adhere to paragraph 100 of the NPPF.

Landscape/Trees and Visual Impact

80. The Proposed Development comprises the construction of a new two-way highway (single lane in both directions) which is to extend to a length of approximately 450m. The proposed development is to enable access from the A511 Bardon Road to the new residential development to the south of the application site. The proposal will also include a shared footway / cycleway on both sides of the highway and landscape mitigation again on both sides of the proposed highway. It will also include typical water drainage features and is to be constructed at grade. The proposal includes the demolition of four residential dwellings to the southern side of the A511 Bardon Road (northern boundary of the site) to enable the creation of the link road to the residential development to the south.
81. The proposed highway will run in a north-south direction from the A511 Bardon Road/Stephenson Way roundabout junction across open fields which include vegetated boundaries, agricultural drains and a public footpath. The highway is proposed to pass under an existing railway embankment that runs east to west. This will require the construction of an underbridge to enable the proposed highway to pass under the railway line, which is an operational freight, rather

than passenger line. The application site comprises significant amounts of grassland and woodland which is established on a disused railway embankment. This has been identified as a candidate Local Wildlife Site (cLWS). However, it should be noted that there are no statutory designations on the application site regarding biodiversity, landscape, or heritage matters.

82. The application is accompanied by a Landscape Appraisal Summary which has undertaken an appraisal of likely effects on landscape character and visual amenity arising from the proposed development. Visual impacts of the proposed development have been evaluated for eight representative locations in the wider Study Area of the Site. It outlines that in operation, effects on visual amenity will not exceed minor importance in Year 1 and will diminish further at three locations by Year 15, due to maturing of mitigation planting. It concludes that “However, there are no over-riding landscape or visual reasons, identified by this LVA, to suggest that the Proposed Development will cause important harm to landscape or visual amenity other than briefly and locally in proximity in construction, which is typically the case for most highway construction schemes”.
83. The submitted Arboricultural Impact Assessment (AIA) outlines that a number of trees and some sections of hedgerow will need to be removed to facilitate the road alignment and associated earthworks. The AIA outlines that the tree loss could be mitigated through a scheme of new tree planting which presents an opportunity to enhance the quality, benefits and resilience of trees on the application site. A submitted landscape design masterplan details the retained vegetation and a proposed planting schedule which contains trees, shrubs, ferns, grassed areas and marginal/aquatics species and density details. Native species have been recommended for the hedgerow and woodland mix and species rich mix has been proposed for the areas of wildflower meadow and grassed areas.
84. LCC Landscape Architects have reviewed the proposed development and the aforementioned documents (LVIA and AIA). They have concluded that *the proposed development will not have a significant adverse impact on the landscape character or visual amenity of the area*. Subject to conditions requiring adherence to the LVIA and AIA and the submission of landscape management and maintenance plan, they have no objections.
85. Thus, given the location of the application site in close proximity to the ongoing and proposed development to the south of the application site, the existing A511 and Stephenson Way junction and the residential and commercial development in close proximity, it is considered that the proposed development would not cause unacceptable harm in terms of character and appearance. It is considered that the proposal would comply with Policies D1, En1 and En3 of the NWLLP, Policies G2 and G3 of the Hugglescote and Donington le Heath Neighbourhood Plan and the principles outlined in Section 12 of the NPPF.

Ecology

86. Within the southern section of the application site there are two candidate Local Wildlife Sites (cLWS): Coalville Wet Woodland and Coalville Grassland and Scrub. Coalville Wet Woodland cLWS is recognised for the wet woodland habitat it supports, which is a hydrologically sensitive, priority habitat under the

Natural Environment and Rural Communities (NERC) Act 2006, and the Coalville Grassland and Scrub cLWS is recognised for the presence of unimproved grassland and scrub, although only the latter habitat type falls within the site boundary.

87. The application has been accompanied by a Preliminary Ecology Appraisal and Phase 1 Habitat Survey which the results of the site survey and desk study indicate that the site has potential to support a range of protected and or notable species including badgers, bats, birds, Great Crested Newts, other mammals, reptiles and riparian mammals. Protected species surveys were undertaken, and reports prepared to address the findings of the PEA. A BNG assessment has been undertaken to inform the design of the proposed development. The assessment involves making a comparison between the biodiversity value of habitats present within the site prior to the development and the predicted biodiversity values of habitats following the completion of the development. The comparison is made in terms of biodiversity units with Natural England's biodiversity metric 3.0 providing the mechanism to allow the values to be compared.
88. LCC Ecologists have reviewed the submitted reports in relation to bats, badgers, grass snake, white clawed crayfish, otter and water vole, aquatic invertebrates and invasive non-native species.
89. Regarding bats, whilst no roosts were present at the time of surveying, the buildings are potentially suitable for bats. This requires a condition to be attached for pre-demolition surveys of building B3 (this could not be surveyed at the time) and repeat surveys of the other buildings if demolition has not happened before March 2023. Additional information in relation to lighting has been provided which is considered to be acceptable.
90. Badger surveys were considered to be acceptable. It is noted that precautionary working is needed and LCC Ecologists have requested this is covered by way of condition (referencing Section 6 of the Report). Additional information was provided to County Ecologists in relation to badger tunnels, to which there were no objections.
91. In relation to grass snakes, surveys indicated a small population was present at the time and mitigation is needed to move individuals out of harm's way. It is noted that precautionary working and some habitat enhancement is covered in section 5 of the reptile report, and LCC Ecologists have requested that this is referred to in a planning condition.
92. In relation to white-clawed crayfish, otter, water vole and aquatic invertebrates no further surveys or mitigation is required.
93. With regard to invasive non-native species, Himalayan Balsam was recorded along the stream. County Ecologists have noted that the applicant's attention should be drawn to the proposed biosecurity measures included in the report to ensure they are included in the CEMP/contract documentation.
94. A Biodiversity Net Gain Report (and accompanying Biodiversity Metric) has been submitted. Based on the current plans for the application site, the proposed development is predicted to result in a net gain of 12.19% for area-

based habitat units, a net gain of 119.19% for hedgerow units and a net gain of 1.92% for river units. All habitat scores adhere to the local requirement of conserving, restoring, or enhancing biodiversity. The proposal also provides appropriate mitigation for impacts to mature plantation or secondary woodland and cLWSs present on the site in the form of woodland and tree provision. The development also provides appropriate mitigation for the loss of a length of the watercourse by means of enhancement of the northern section of the watercourse and the creation of a new length of ditch.

95. LCC Ecologists have reviewed the BNG Report and concluded that overall, the development will be in net-gain for hedges, area habitats and streams. It is noted that although some woodland of high distinctiveness will be lost, this cannot be avoided, and LCC Ecology are satisfied that the applicant has justified this and provided bespoke mitigation, a requirement under the BNG methodology. They have requested that the BNG Report and metric are referred to by condition, as is the management of the habitats being in place for 30 years, as required for BNG. This should also be included within the conditioned Landscape and Ecological Management Plan.
96. It is considered that the proposal would not have an unacceptable impact upon relevant species, the cLWS and provides for sufficient BNG. Thus, the proposed development adheres to Policy EN1 of the NWLLP, Policies ENV2 and ENV3 of Hugglescote and Donnington le Heath Neighbourhood Plan and paragraph 174 of the NPPF.

Archaeology

97. The submitted Heritage Statement concludes that there is a potential for the presence of otherwise unknown/unrecorded archaeological remains. It suggests this risk is low based upon the absence of geophysical anomalies detected by previous work in the vicinity. LCC Archaeologists, upon initial review, cautioned that these surveys have been of varying success, as indicated by subsequent excavation and recording south of Grange Road and to the north of the railway line. They initially recommended that geophysical survey accompanied by trial trenching will be necessary to understand the actual archaeological potential of the application site/development proposals. These works should be undertaken in advance of determination of the current application, to establish the impact of the proposals upon the historic environment.
98. The applicant provided additional information in the form of a) results of previous trial trenching associated with residential development to the south of the railway line, including a number of trenches on or close to the line of the link road and b) the presence of extensive scrub and vegetation preventing geophysical survey of the northern part of the application site. Following their review of this information, LCC Archaeology confirmed that they withdraw their recommendation for pre-determination trial trenching, and to revise the recommendation to a programme of post-determination mitigation secured by condition. Thus, there are no objections from an archaeological perspective and the proposal is considered to adhere to Policy He1 of the NWLLP and Paragraph 195 of the NPPF.

Heritage

99. There are no listed buildings within the site boundary and the application site is not within a Conservation Area. The LCC Heritage Officer has reviewed the proposal and has no objection. Thus, it is considered that the proposed development would not create any unacceptable impact to the setting of any listed buildings or to a conservation area within the study area. The proposal adheres to Policy He1 of the NWLLP and Paragraph 195 of the NPPF.

Drainage/Flood Risk

100. The Lead Local Flood Authority (LLFA) has reviewed the submitted information (including Flood Risk Assessment). The application form states incorrectly that the site is not in an area at risk of flooding. The site is covered by the Risk of Flooding from Surface Water Maps, published by the Environment Agency as the 'Long Term Flood Risk Map2' and this map shows that part of the road is located in an area of low/medium risk of surface water (pluvial) flooding. However, the LLFA are satisfied that the FRA shows that the site drainage arrangements take into account both fluvial and pluvial flood risk. Infrastructure is provided, which subject to provision of more detail will provide an appropriate level of flood risk protection for the road, whilst ensuring no unacceptable increase in flood risk to adjacent third-party land outside of the red line boundary.
101. Although the application includes for the modification of the existing A511/Bardon Road roundabout with a new arm for the link road, there are no details provided for the existing roundabout highway drainage, any current level of flood risk, or any required drainage modification. The LLFA have outlined that this will be required to be addressed by way of condition. It is also noted that a section of the link road is proposed to drain south and outfall into a highway drainage/surface water sewer network provided by a developer. The LLFA have also stated that it will be necessary to show evidence that the discharge from the link road has been approved and that the receiving network has capacity to accept the link road discharge (by way of condition).
102. The LLFA have concluded that the proposals are considered acceptable to the LLFA in principle, and advise a series of planning conditions be attached to any permission granted. The development should be designed in accordance with the surface water management principles provided within the application. The proposal is considered to comply with Policies CC2 and CC3 of the NWLLP and Section 14 of the NPPF.

Residential Amenity

Noise/Vibration

103. Noise will be generated during both the construction and operation of the proposed development. Detailed information on the construction activities, programme or number or type of construction plant has not yet been confirmed. This will be the responsibility of the contractor should the application be granted planning approval. The Noise Assessment notes that there is potential for an increase in ambient noise levels resulting in adverse noise and vibration impacts at the closest receptors to the works, particularly if evening/weekend

and night-time works are required. The applicant has outlined that further consideration of the potential effects and identification of appropriate measures to minimise effects during construction as far as practicable will be reviewed within a Construction Environmental Management Plan (CEMP), prepared, and implemented by the principal contractor appointed to construct the proposed development. The CEMP will include a range of best practice measures associated with mitigating potential environmental impacts including noise.

104. Given the siting of the proposed development and the surrounding characteristics of the application, the operation of the proposed development has the potential to result in both beneficial and adverse permanent traffic noise impacts. The Noise Assessment outlines the additional mitigation proposed to address the significant adverse effects predicted on Bardon Road and John Cooper Way comprising the installation of 1.8m close board environmental barriers. This would reduce the potential increase in traffic noise levels to the occupiers of properties on Bardon Road and John Cooper Way mitigating any adverse impact upon amenity. There will be need for some work to be carried out outside of the normal working hours of 0700 hours and 1900 hours Monday to Friday; and 0800 hours and 1300 hours Saturday. This is due to the constraints of working on railway possessions and minimising disruption to the ongoing use of the railway line and works required for traffic management purposes. It is considered that these exceptions are acceptable given the separation of the proposed underbridge to sensitive receptive receptors but further details in relation to these and any mitigation proposed will be required to be submitted by way of condition (CEMP and Construction Traffic Plan).
105. The Environmental Health Officer at North West Leicestershire District Council has reviewed the submitted details and not expressed any concerns in relation to noise or vibration.

Air Quality

106. An Air Quality Assessment (AQA) has been submitted as part of the application. The Assessment details that the proposed development has the potential to result in both increases and decreases at sensitive receptors due to the re-routing of traffic around Coalville. Increases in traffic flow are anticipated on the roads within the existing committed developments as the proposed development will complete the north-south link between Beveridge Lane and Bardon Road as well as on the A511, north of the proposed development. Decreases in traffic flows are anticipated on the A511, east of the new roundabout, Regs Way and Central Road, as vehicles use the new road to access Coalville in preference to the existing north-south routes. The AQA concludes that the proposed development and mitigation measures will ensure there are no significant air quality effects for humans or designated habitats during the construction or operation of the proposed development. The Environmental Health Officer at North West Leicestershire District Council has reviewed the submitted AQA and confirmed that they are satisfied with the assessment and measures outlined.

Contamination

107. A Phase 1 Ground Investigation Report has been prepared to assess the ground conditions of the site. The report comprises a desk-based review of

published records, historical mapping, historical borehole records and observations made during a site visit. The Phase 1 Report concludes that the risk of encountering ground contamination is moderate. The risks may be mitigated by further assessment through a supplementary intrusive ground investigation and risk assessment at the detailed design stage and, if necessary, the inclusion of appropriate mitigation measures during construction. This is subject to a planning condition, if at any time during the construction or operation of the development hereby permitted contamination not previously identified is found to be present at the site the necessary mitigation measures will need to be submitted to the County Planning Authority, the potential risks identified are not considered to pose a significant risk to the proposed development. No concerns have been raised by The Environmental Health Officer at North West Leicestershire District Council in relation to contamination.

Structures

108. To enable the proposed link road to be created along the southern section of Bardon Road, it is proposed to demolish four of the existing properties along this part of the highway. The proposed development also includes the creation of a 12m in length underbridge to enable the proposed road to pass beneath the existing operational railway line to the southern section of the application site. This is proposed to be a 13m wide square shaped structure which would also enable pedestrian/cycle users.
109. Given the separation distance from the proposed underbridge to existing residential properties and non-residential buildings/uses, it is not considered that the proposed underbridge would cause any unacceptable impact upon residents of neighbouring properties in relation to sunlight/daylight/privacy matters and in terms of being overbearing. It is not considered that other associated works such as bollards, shared surfacing, lighting etc, would cause any unacceptable impact upon the amenity of neighbouring residents. Given the lack of detail in relation to the proposed lighting, a condition is to be included to provide for these details to ensure that there is no harm upon the amenity or character of the area. Therefore, it is considered that the proposed development would not create any unacceptable amenity concerns in relation to noise, vibration, air quality, contamination, sunlight/daylight and privacy. The proposal would comply with Policies D2 and En6 of the NWLLP and Paragraph 185 of the NPPF.

Climate Change/Sustainability

110. In May 2019 Leicestershire County Council declared a climate change emergency. It is considered that the proposed development is aimed at easing congestion within the wider Coalville Area and providing for non-motorised users to access Coalville Town Centre via proposed walkway/cycleway. Thus, it is considered that the proposal would have broad sustainability benefits and there are no concerns in this regard. It is considered that the proposal complies with Paragraph 110 of the NPPF and sustainability principles of Section of 14 of the NPPF.

Burton to Leicester Railway Line

111. The Leicester to Burton rail line runs in an east-west direction, located in the southern half of the application site and Policy IF5: Leicester to Burton rail line, seeks to ensure any development does not prejudice the route of this rail line.
112. The proposed link road scheme and associated infrastructure will pass under the railway to access the southern part of the application site and Network Rail have been consulted on the proposed development. They have not provided any objection in relation to planning matters subject to the applicant entering into any necessary agreements and licences and agreement with Network Rail on bridge and culvert design.

East Midlands Airport

113. Policy Ec5: East Midlands Airport Safeguarding, identifies the wider area as safeguarded for the East Midlands Airport (EMA). Any proposed tall structures or those which may interfere with the navigational aids of the airport, any proposal where the lighting elements of a development which may have the potential to distract pilots, any proposal for an aviation use or proposal which has the potential to attract a large number of birds, or a proposal for wind turbine development would not be permitted. It is unlikely that the proposed development presented in this application would negatively affect the safeguarding of the EMA under any of the criteria listed in this policy

Other Matters

114. It is noted that objections have been received from two residents in relation to the proposed development. Matters have been raised in relation to traffic, speeding and accessibility to driveways. As has been outlined in the preceding report, the Local Highway Authority have carried out a comprehensive review of all highway's matters (including matters outlined by objectors) and considered that the proposal would not cause any unacceptable highways issues. As has also been considered in the above reports, impacts upon the character and landscape are considered to be within acceptable levels and there are no unacceptable impacts upon existing biodiversity or wildlife habitats. Impacts upon PRoW and accessibility/connectivity have been deemed to be acceptable and the proposal would not cause unacceptable vibration impacts. It is noted that the proposed development includes an 18 tonne weight limit to restrict HGVs from using the route and it is proposed to have a 30mph speed limit.
115. Concerns raised in relation to devaluation of the property and taking the Council to court/corruption comments are not material planning considerations. It should be noted that the County Planning Authority have complied with all statutory planning requirements and liaised with the objectors to outline the process and how their comments would be considered and also provided details for any comments to be passed directly to the applicants to consider. It should be noted that with regard to concerns noted in relation to the developer not talking to residents, the applicants have outlined in their Planning Statement that consultation has been undertaken with the community and key stakeholders on this proposed development. A detailed Statement of Community Engagement (SCE) has been prepared and has been submitted in support of the planning application. The SCE includes an analysis of the main themes arising through

the public consultation activities (feedback forms/questionnaires/face-to-face) and presents the applicant's response to those themes where possible.

Conclusion

116. In principle the proposal is in accordance with the policies and strategies of the Development Plan, which makes provision for a link road. The proposed development complies with the policy requirements of the NPPF. The proposed development would enable improvements to congestion as part of the wider A511 Growth Corridor Scheme, as well as benefits to sustainable transport modes within the immediate vicinity of the scheme. It is also considered that the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. The proposed development would not cause an unacceptable harm to the character/appearance/landscape to the application site or the surrounding area, nor would the proposal create any unacceptable levels of harm to the amenity of the occupiers of the surrounding properties. The proposed development is also acceptable with regard to ecology, flood risk/drainage, archaeology/heritage and climate change considerations. Thus, the proposal is recommended for approval subject to the condition outlined in the Appendix A.

Statement of Positive and Proactive Engagement

117. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application discussion; assessing the proposals against relevant Development Plan policies; all material considerations; and consultation responses. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

Recommendation

A. Approval subject to the conditions set out in Appendix A.

Officer to Contact

Brian O' Donovan (0116 305 1085)
E-Mail planningcontrol@leics.gov.uk

APPENDIX A

Conditions

Commencement

1. The development hereby permitted shall be commenced within 3 years from the date of this permission

Reason: To comply with the requirements of Section 91 (as amended) of the Town and Country Planning Act 1990.

Approved Details

2. Unless otherwise required by this permission or approved in writing by the County Planning Authority, the development shall be carried out in accordance with the following details:

Drawing no.	Rev	Title	Date issued
60647945 Figure 1	-	Site Location	May 2022
MRN A511.000-H1-1P-1_OVERVIEW	A	Scheme Overview	Nov 2022
MRN A511.000_H1_1P_2A_Auto Tracking	B	Auto Tracking 1 of 3	Nov 2022
MRN A511.000_H1_1P_3A_Auto Tracking	B	Auto Tracking 2 of 3	Nov 2022
MRN A511.000_H1_1P_4A_Auto Tracking	B	Auto Tracking 3 of 3	Nov 2022
MRN A511.000_H1_1P_6_Setting Out	-	Setting Out	May 2022
MRN A511.000_H1_1P_7_Long Sections	-	Long Sections 1 of 3	May 2022
MRN A511.000_H1_1P_8_Long Sections	-	Long Sections 2 of 3	May 2022
MRN A511.000_H1_1P_9_Long Sections	-	Long Sections 3 of 3	May 2022
MRN A511.000_H1_1P_10_Drainage Long Sections	-	Drainage Long Sections 1 of 2	May 2022
MRN A511.000_H1_1P_11_Drainage Long Sections	-	Drainage (Pond) Long Sections 2 of 2	May 2022
MRN A511.000_H1_1P_12_Cross Sections	-	Cross Sections 1 of 4	May 2022
MRN A511.000_H1_1P_13_Cross Sections	-	Cross Sections 2 of 4	May 2022
MRN A511.000_H1_1P_14_Cross Sections	-	Cross Sections 3 of 4	May 2022
MRN A511.000_H1_1P_15_Cross Sections	-	Cross Sections 4 of 4	May 2022
MRN A511.000 - H1-1P-16	A	Visibility Splays	Nov 2022
MRN A511.000_H1_1P_17_Under Bridge Cross Section	A	Proposed Under Bridge Cross Section	Nov 2022
MRN A511.000-H1-1P-18_DRAINAGE	-	Drainage	May 2022

MRN A511.000 H1_1P_19C	C	Proposed Driveway Works (No. 36 Bardon Road)	Nov 2022
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Document	Rev	Date issued
Planning Statement	2	May 2022
Phase 1 Desk Study (Geotechnical and Geo-environmental)	2	May 2022
Noise Assessment	1	May 2022
Landscape Appraisal Summary	1	May 2022
Heritage Statement	-	May 2022
Flood Risk Assessment and Outline Drainage Strategy	-	May 2022
Air Quality Assessment	1	May 2022
Preliminary Ecological Appraisal	1	May 2022
Arboricultural Impact Assessment	-	May 2022
Protected Species Report – Riparian Mammals	1	May 2022
Protected Species Report – Bat Survey Report (Structures and Activity)	2	May 2022
Protected Species Report – Bat Preliminary Roost Appraisal	1	May 2022
Protected Species Report - Reptiles		May 2022
Protected Species Report – Badgers	-	May 2022
Aquatic Ecology Survey Report	2	May 2022
Biodiversity Net Gain Report	1	May 2022
Biodiversity Metric Spreadsheet	-	May 2022
Transport Assessment	2	May 2022
Transport Assessment Appendices	-	May 2022
Transport Assessment Addendum	2	November 2022
Statement of Community Engagement	1	May 2022

Reason: For the avoidance of doubt, and to ensure that the development is carried out in accordance with the approved conditions and in a satisfactory manner in the interests of the amenity of the area

Highways

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

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with policies D2 and IF4 of the NWLLP.

- 4.. The proposed link road shall not be opened to the public until such time as it has been constructed in accordance with submitted drawing number MRN A511.000 H1-1P-1_OVERVIEW Revision A - Scheme Overview Plan.

Reason: To provide an appropriate route for highway users in the interests of general highway safety and in accordance with the NPPF.

5. The proposed link road shall not be opened to the public until such time as the offsite works shown on the following submitted documents have been implemented in full:

- 2916/A4/1/1, 'London Rd / Forest Rd/Broom Leys Rd Coalville - Proposed Junction Improvements';
- MRN.000 A511_Hoo_Ash_H2_12_3 and 4 – Road Marking Plan;
- MRN A511 000-Broom Leys-H2_12_1 – Road Markings Plan;
- MRN A511 000-Broom Leys-H2_12_2 - Road Pavements Plan;
- MRNA511-000_Birch Tree H2_12_2_markings - Road Markings Plan;
- MRN A511-000_Dual Carriageway H2_12_3 - Road Markings Plan.

Reason: To mitigate the impact of the development, in the general interests of highway safety and in accordance with the NPPF.

Public Rights of Way

6. No development shall take place until a scheme for the treatment of Footpath N86 has been submitted to, and approved in writing by, the County Planning Authority. Such a scheme shall include provision for fencing, surfacing, width, structures, signing, landscaping, and management during construction in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers. Thereafter the development shall be carried out in accordance with the agreed scheme and timetable.

Reason: to protect and enhance Public Rights of Way and access in accordance with Paragraph 100 of the NPPF.

7. Prior to construction, changes to existing boundary treatments running alongside the Public Right of Way, must be submitted to and approved in writing by the County Planning Authority in accordance with the principles set out in the Leicestershire County Council's Guidance Notes for Developers.

Reason: in the interests of protecting and enhancing Public Rights of Way and access in accordance with Paragraph 100 of the NPPF.

8. Where Footpath N86 crosses a Carriageway, drop kerbs should be installed at the crossing points.

Reason: to improve access for all in the interests of protecting and enhancing Public Rights of Way and access and providing better facilities for users in accordance with Paragraph 100 of the NPPF.

Drainage/Flood Risk

9. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the County Planning Authority. Thereafter the approved scheme shall be implemented in full accordance with the approved details.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site in accordance with policy Cc2 of the NWLLP and Section 14 of the NPPF.

10. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by, the County Planning Authority. Thereafter the approved management shall be implemented in full accordance with the approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire development construction phase in accordance with policy Cc2 of the NWLLP and Section 14 of the NPPF.

11. No use of the development approved by this planning permission shall take place until such time as details in relation to the long-term maintenance of the surface water drainage system within the development have been submitted to and approved in writing by the County Planning Authority. Thereafter the approved maintenance measures shall be implemented in full accordance with the approved details.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development. in accordance with policy Cc2 of the NWLLP and Section 14 of the NPPF.

Landscape

12. Prior to first use by the public of the proposed development, a landscape and ecological management & maintenance plan shall be submitted to, and approved in writing by, the County Planning Authority. Thereafter the approved plan shall be implemented in full accordance with the approved details.

Reason: To achieve high quality landscaping and enhance biodiversity in accordance with policies D1, En1 and En3 of the NWLLP, Policies G2 and G3 of the Hugglescote and Donnington le Heath Neighbourhood Plan and the principles outlined in Section 12 of the NPPF.

Ecology

13. In the event that demolition works to the properties surveyed for the submitted Bat Report takes place after March 1st, 2023, all properties will need to be re-surveyed with details submitted to, and approved in writing by, the local planning authority prior to demolition taking place. In any event, a survey of

building B3 identified in the submitted Bat Report will need to be submitted to and approved by the County Planning Authority in writing.

Reason: In the interests of wildlife protection in accordance with policy En1 of the NWLLP, Policies ENV2 and ENV6 of the Hugglescote and Donnington le Heath Neighbourhood Plan and the principles outlined in Paragraph 174 of the NPPF.

14. Any trees that need to be removed to facilitate the development should be removed from August to March, to avoid the bird-nesting season.

Reason: In the interests of wildlife protection and to avoid the need for re-surveying in accordance with policy En1 of the NWLLP, Policies ENV2 and ENV6 of the Hugglescote and Donnington le Heath Neighbourhood Plan and the principles outlined in Paragraph 174 of the NPPF.

15. Habitats should be managed as per the recommendations of the Biodiversity Net Gain Report, and this shall be required for a minimum of 30 years from the completion of the development

Reason: To ensure that biodiversity net gain is secured and provided in accordance with Paragraph 174 of the NPPF.

Archaeology

16. No demolition/development shall take place/commence until a programme of archaeological work has been completed. The programme will commence with an initial phase of geophysical survey and trial trenching to inform a final archaeological mitigation scheme. Each stage will be completed in accordance with a written scheme of investigation (WSI), which has been submitted to, and approved in writing by, the county planning authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed mitigation WSI, which shall include the statement of significance and research objectives, and:

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works;
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory archaeological investigation and recording in accordance with Policy He1 of the NWLLP and Paragraph 195 of the NPPF.

Amenity/Design

17. All lighting provision related to the development hereby permitted shall be in accordance with a detailed scheme to be submitted to, and approved in writing by, the County Planning Authority prior to its installation. The scheme as approved shall include details of the types and height of lights and/or light

columns, their location, technical specification, means of preventing or minimising light spillage and the proposed hours of use. Thereafter, the approved lighting scheme shall be implemented in full accordance with the approved details.

Reason: To ensure that the illumination of the new carriageway is acceptable having regard to local residential amenity, highway/pedestrian users and the general character of the area in accordance with Policies D1 and D2 of the NWLLP and Paragraph 185 of the NPPF.

18. No construction of the underbridge hereby approved shall be carried out until such time as details of the means of finish to the proposed underpass (and including its internal walls) has been submitted to, and approved in writing by, the County Planning Authority. Thereafter the approved means and materials shall be implemented in full accordance with the approved details.

Reason: To ensure that the materials used respect the character and appearance of the site and local area in accordance with Policy D1 of the NWLLP.

19. If at any time during the construction or operation of the development hereby permitted contamination not previously identified is found to be present at the site, no further development shall take place until a scheme which includes details of how the identified contamination will be remediated has been submitted to, and approved in writing by, the County Planning Authority. Any remediation works approved within this scheme shall be carried out in full prior to the occupation of the site.

Reason: To secure appropriate remediation of contaminated land in accordance with policy En6 of the NWLLP.

20. Prior to commencement of construction works, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the County Planning Authority. The CEMP shall include provision of mitigation of the effects of the development including proposed working hours. Thereafter the approved CEMP shall be implemented in full accordance with the approved details.

Reason: To ensure the visual, residential and environmental amenity of the surrounding area is protected during the construction of the proposed development in accordance with Policy D1 of the NWLLP and Paragraph 185 of the NPPF.

21. Apart from the exemptions set out in Condition 22, no operations shall be carried out at the site except between the following times: 0700 hours and 1900 hours Monday to Friday; and 0800 hours and 1300 hours Saturday. There shall be no operations on Sundays or public holidays.

Reason: To ensure that the construction works can be carried out in a reasonable manner without significant effects on local amenity and the environment in accordance with Policy D2 of the NWLLP and Paragraph 185 of the NPPF.

22. Exemptions – Working outside of the normal working hours detailed in Condition 21 shall be limited to working to agreed possessions with Network Rail to undertake works associated with the underbridge and works required to Bardon Roundabout necessary for traffic management purposes. Details of mitigation measures, timings and days shall be submitted to, and approved in writing by, the MPA in advance.

Reason: To ensure that the construction works can be carried out in a reasonable manner without significant effects on local amenity and the environment in accordance with Policy D2 of the NWLLP and Paragraph 185 of the NPPF.

Notes to the Applicant

Highways

Planning Permission does not grant approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences / permits / agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

The Applicant should be advised to contact Leicestershire County Council's Network Management team at the earliest opportunity to discuss access to the road network to carry out works. The team can be contacted at: networkmanagement@leics.gov.uk

Public Rights of Way

Prior to construction, measures should be taken to ensure that users of the Public Right of Way are not exposed to any elements of danger associated with construction works.

The Public Right of Way must not be re-routed, encroached upon, or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.

The Public Right of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.

If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.

Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.

No new gates, stiles, fences, or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way, and the County Council may be obliged to require its immediate removal.

No trees or shrubs should be planted within 1 metre of the edge of the Public Right(s) of Way. Any trees or shrubs planted alongside a Public Right of Way should be non-invasive species.

Drainage Flooding

Regarding Condition 10, the LLFA advise that the scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment drains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations.

Full details for the drainage proposal should be supplied, including but not limited to, headwall details, pipe protection details (e.g. trash screens), attenuation basin details, flow control structure details, long sections and full model scenarios for the 1 in 1, 1 in 30 and 1 in 100 year plus climate change

Regarding Condition 11, the LLFA advise that details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various construction stages of development from initial site works through to completion. This shall include temporary attenuation, additional treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

Regarding Condition 12, the LLFA advise details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system that will not be adopted by a third party and will remain outside of individual householder ownership and should also include procedures that must be implemented in the event of pollution incidents within the development site.

Where there are any works proposed as part of an application which are likely to affect flows in a watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted.

Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/Flood-risk-management>

No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

Landscape/Ecology

Regarding Condition 13, this should cover a comprehensive landscape specification, reference to all relevant landscape British Standards and guidelines, methods of protection for retained existing vegetation, ground preparation, tree pit design, tree support, plant protection and maintenance and management measures. Habitat management referred to in BNG report must be carried forward into a LEMP, with a requirement to be provided for 30 years.

Archaeology

The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor.

The Historic and Natural Environment Team, as advisors to the planning authority, will monitor the archaeological work, to ensure that the necessary programme of archaeological work is undertaken to the satisfaction of the planning authority.

Network Rail

Asset Protection Eastern - For enquiries, advice and agreements relating to construction methodology, works in proximity to the railway boundary, drainage works, or schemes in proximity to railway tunnels (including tunnel shafts) please email assetprotectioneastern@networkrail.co.uk.

Land Information - For enquiries relating to land ownership enquiries, please email landinformation@networkrail.co.uk.

Property Services - For enquiries relating to agreements to use, purchase or rent Network Rail land, please email propertyservicesneem@networkrail.co.uk.

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the preceding applications.

EQUALITY AND HUMAN RIGHTS IMPLICATIONS

Unless otherwise stated in the report there are no discernible equality and human rights implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Family Services and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equality Act 2010. You are advised to contact the Equalities function of the County Council's Policy and Partnerships Team if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPULSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

Section 70(2)	:	determination of applications;
Section 77(4)	:	called-in applications (applying s. 70);
Section 79(4)	:	planning appeals (applying s. 70);
Section 81(3)	:	provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
Section 91(2)	:	power to vary period in statutory condition requiring development to be begun;
Section 92(6)	:	power to vary applicable period for outline planning permission;
Section 97(2)	:	revocation or modification of planning permission;
Section 102(1)	:	discontinuance orders;
Section 172(1)	:	enforcement notices;
Section 177(2)	:	Secretary of State's power to grant planning permission on enforcement appeal;
Section 226(2)	:	compulsory acquisition of land for planning purposes;
Section 294(3)	:	special enforcement notices in relation to Crown land;
Sched. 9 para (1)	:	minerals discontinuance orders.

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DEVELOPMENT CONTROL AND REGULATORY BOARD

12 JANUARY 2023

REPORT OF THE CHIEF EXECUTIVE

COUNTY MATTER

PART A – SUMMARY REPORT

APP.NO. & DATE:	2021/0683/03 (2021/CM/0041/LCC)
PROPOSAL:	Extraction of sand and gravel. Importation of inert material and topsoil for restoration of the site, installation of concrete batching plant, placement of mineral washing plant and continued use of bagging plant.
LOCATION:	Husbands Bosworth Quarry, Welford Road, Husbands Bosworth LE17 6JH.
APPLICANT:	Mick George Ltd.
MAIN ISSUES:	Principle of development, provision of sand and gravel, ecology and heritage, highway impacts and neighbour amenity
RECOMMENDATION:	PERMIT subject to the conditions set out in Appendix A

Circulation Under Local Issues Alert Procedure

Mr. B. L. Pain CC

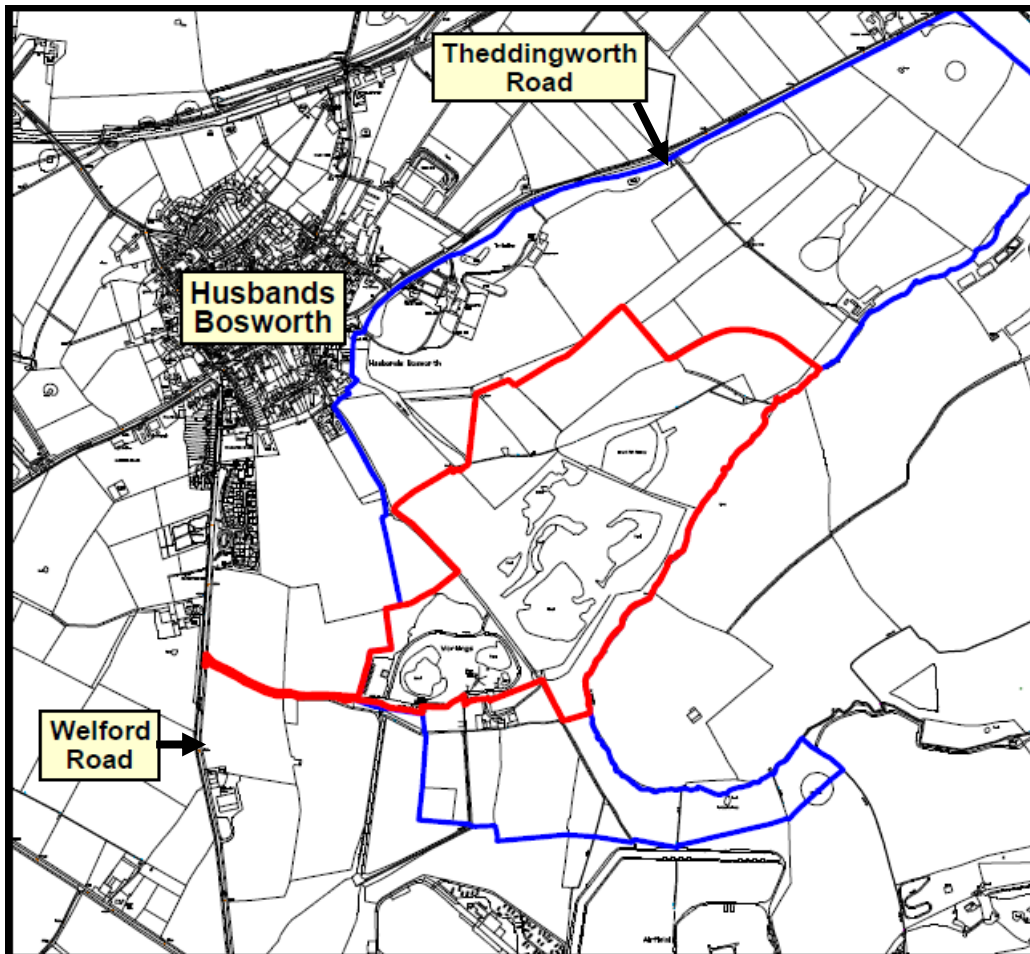
Officer to Contact

Nick Bowden (Tel. 0116 305 4701).
Email: planningcontrol@leics.gov.uk

PART B – MAIN REPORT

The Site and Surroundings

1. The application site is 50.7 hectares and comprises part of the existing wider Husbands Bosworth Quarry site and a proposed new extension to the east. Husbands Bosworth Quarry is an existing sand and gravel extraction site which has been operating to the south of the village of Husbands Bosworth and north of Welford since the 1980s. The site is set in open countryside with a predominantly agricultural function, although the wider area is characterised by small pockets of differing buildings and uses.



Red edge: application site
Blue edge: within applicants' control

2. Uses and buildings of note include Husbands Bosworth Gliding Centre to the south, which features a grass runway, and other associated recreational uses. To the north, Husbands Bosworth is a largely residential village. To the north-east is Husbands Bosworth Hall and Saint Mary's Church, both of which are listed buildings (grade II*). A number of other small scale motor vehicle related uses are located in clusters of buildings. Nevertheless, the prevailing character of the wider area is rural.
3. The wider Husbands Bosworth Quarry site (outside of the application site) comprises various areas of formerly extracted ground to the south of the application site and to the west of Welford Road. These areas are in various stages of having been restored or are in the process of ongoing restoration.

4. The application site itself comprises an existing operational and working area which has formerly had extraction completed, a site office and administration area. The site is then bisected by Butt Lane, a single-track bridleway, which leads from Husbands Bosworth through the site towards a cluster of farm buildings at the south of the site. To the east of Butt Lane is an area of formerly worked quarry awaiting restoration with the remainder extending to the north and east comprising existing agricultural fields.
5. The site is accessed by an existing haul road from the A5199 Welford Road which itself leads south through Welford towards the A14 and Northampton. To the north it leads to Husbands Bosworth and Leicester, whilst also linking to the A4304 which heads towards Market Harborough to the west and Lutterworth and the M1 to the east.
6. The site is largely comprised of fields (beyond existing extracted areas) and is almost exclusively surrounded by hedgerows and tree belts to all surrounding boundaries. Hedgerows cross the application site itself which also features a few small copses and tree belts within it including Gravel Pit Spinney, to be retained, towards the centre of the site. The River Welland forms the south-west boundary to the site and is set at the bottom of the relatively narrow and shallow Welland Valley.
7. The nearest sensitive residential receptors are properties in and around the south side of Husbands Bosworth. This includes properties along the southern part of Butt Lane/Bromell Grove at approximately 200 metres from phase 1 and Townend Close, approximately 325 metres from phase 1. The mineral processing area is approximately 300 metres from Townend Close.

Background

8. Husbands Bosworth Quarry was originally established in the 1980s and has largely been used for the purposes of sand and gravel extraction since this time. Various parts of the site have been restored to agriculture or are in the process of being restored. The overall area forms part of the wider Husbands Bosworth Estate, which was originally part of the manorial estate connected with the main Hall dating back to the Tudor period. The estate has since been much altered such that the parkland setting associated with the Hall has been truncated.
9. The site is identified in the Harborough Local Plan as being within the open countryside as designated by policy GD3. Most of the application site is allocated for the purposes of sand and gravel extraction in the Leicestershire Minerals and Waste Local Plan and is identified as allocation SA3 pursuant to policy M2.
10. Most of the site falls within Environment Agency Flood Zone 1 (lowest probability of flooding) with areas around the River Welland being within Flood Zones 2 and 3. The land is predominantly Grade 2 agricultural land with small areas of Grade 3a and 3b. The site is in proximity to a number of listed buildings and Husbands Bosworth Conservation Area to the north.
11. The wider Husbands Bosworth site ceased sand and gravel extraction at the end of 2019 and from an extraction perspective may be considered dormant. However, various other activities at the site have continued, including backfilling

of voids with inert waste and the continued operation of the bagging plant on-site using imported material.

12. This application was initially received in March 2021 and has been subject to three further requests for information as is further detailed below.

Planning History

13. The application site has an extensive history and the following comprises a summary of the most recent and/or pertinent applications and decisions.
- a) 98/0329/03: Extension of sand and gravel workings with restoration to agriculture, woodland and heathland. Permitted.
 - b) 2007/1868/03: Phased extraction of sand and gravel from an extension to Husbands Bosworth Quarry and construction of replacement silt and clean water lagoons. Restoration to woodland, grassland scrub and lakes. Permitted, not implemented.
 - c) 2010/0798/03: Planning Application and Supplementary Ecological Assessments to extend the time limit for implementation of planning permission ref. 2007/1869/03. Permitted and implemented.
 - d) 2012/1030/03: Importation of foreign material for washing and processing. Permitted subject to restriction on material source (Mountsorrel Quarry), material type (granite dust) and a maximum of 26,000 tonnes per annum. Permitted 24 September 2012.
 - e) 2020/2015/03: Variation of condition 3 of planning permission 2010/0798/03 in order to allow restoration works to be completed by 31 October 2021. Permitted, 28 January 2021. This permission has not been implemented.
 - f) 2021/1552/03: Continued use of aggregate bagging plant facility. Refused permission in November 2021 for the following reasons (in summary):
 - a. Use of site as bagging plant facility without any connection to other on-site extraction operations;
 - b. Failure to restore site;
 - c. Inadequate demonstration that the vehicle movements would not be harmful to highway safety.

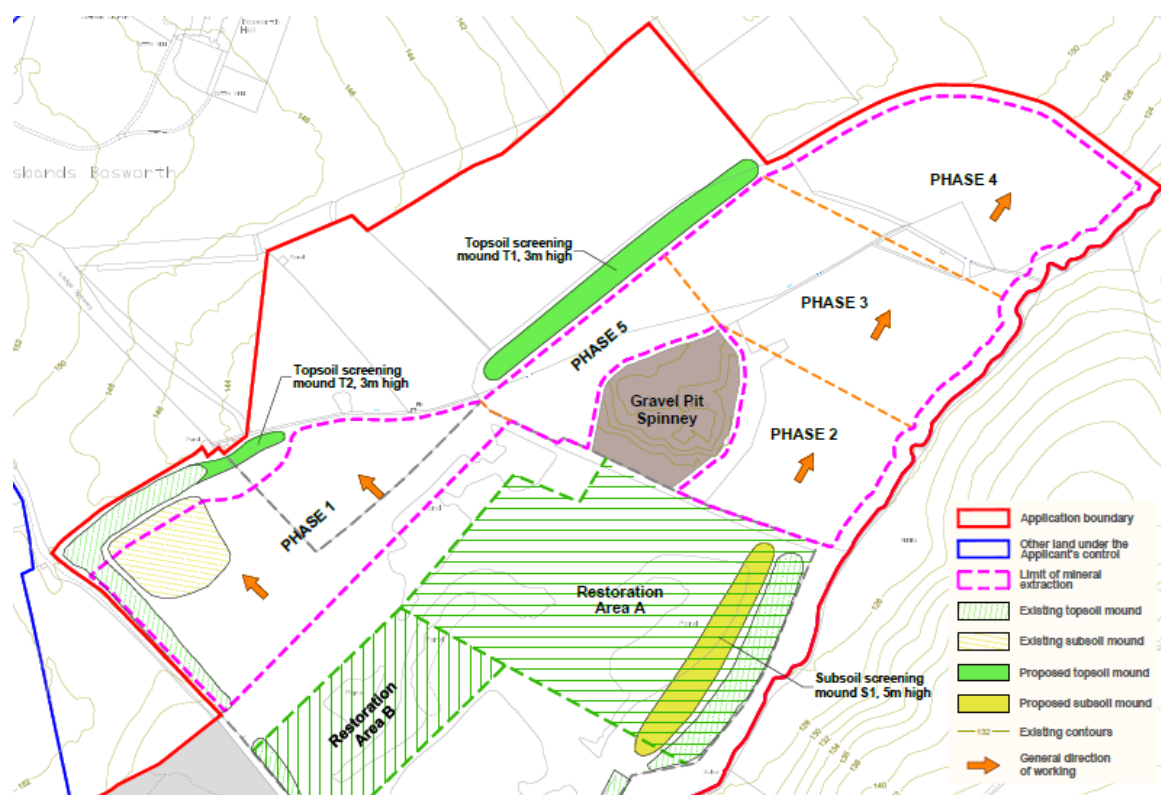
Description of Proposal

14. The application is an Environmental Impact Assessment (EIA) development and is therefore supported by an Environmental Statement. The application proposes the extraction of sand and gravel; importation of inert material and topsoil for restoration of the site; installation of a concrete batching plant; placement of a mineral washing plant; and continued use of the bagging plant. In total the application seeks to extract 900,000 tonnes of sand and gravel in five phases equating to an output of up to 200,000 tonnes per annum. The overall programme for commencement, bringing the project up to speed and peak extraction is expected to take eight years with some restoration occurring during extraction and subsequent restoration to continue afterwards.

15. The site would subsequently be restored to a mix of predominantly agriculture and pastoral woodland and grassland.

Extraction

16. Extraction at the site would be conducted in phases, with the first phase being undertaken towards the west part of the site adjacent to Butt Lane. This part of the site has already been partially worked under the ambit of previous permissions and would be continued in this scheme. Any remaining subsoil material will be placed into restoration areas to the south (area A) before proceeding to later phases. The extraction programme would then move towards the eastern part of the site and proceed in an anticlockwise direction circling Gravel Pit Spinney. Each phase will be restored in order following completion of extraction in each particular phase.



17. Later phases will remove topsoil material for storage in mound T1 and subsoil for storage at S1 or area A. Inert material will be imported to the site over the phases for backfilling any voids prior to restoration.
18. Material will be removed from each phase using tipper trucks where it will be brought to the mineral processing plant, processed into differing grades and washed. From here it will be transferred to articulated vehicles for dispatch or blended with imported material for bagging or use in ready mix cement creation.
19. The mineral processing plant itself comprises an approximately 40 metre long and 6 metre high structure featuring feeder, conveyor and processing unit for screening, before being dispensed into temporary stockpiles for onward movement.

20. Backfilling of the quarry voids in phases 1-5 will be undertaken using 1.3 million tonnes of imported inert, construction, demolition and excavation (CD&E) waste. Restoration Areas A & B would be restored using overburden material from the earlier phases.

Associated industrial use

21. The existing bagging plant is proposed to be retained in this application to continue to import material for blending with material from the site. The building comprises a barn like structure with dimensions of around 12 by 15 metres and a height to eaves of about 5 metres. The building is surrounded by open storage of pallets, material for the bagging operation and is set largely on crushed and compacted gravel and hardcore.
22. The application also proposes to install a ready mix concrete plant comprising an approximately 31 metre long by 11 metre high piece of equipment featuring cement silos, mixing unit and loading head chute. The unit would supply wet batched concrete using material from the site and imported cement mix. This would be dispatched via cement mix tankers.
23. Combined operations from the sand and gravel extraction, bagging plant and cement plant (including material imports to facilitate the production process) will deliver 100,000 tonnes of processed mineral, 60,000 tonnes ready mix concrete, 70,000 tonnes aggregate bagged material delivering a total average output from the site of around 230,000 tonnes from the site per annum.

Environmental impacts and mitigations

Landscape

24. From a landscape perspective the working scheme follows a number of landscape design objectives introduced to minimise any perceived visual impact during the operational phase and to potentially improve the area in terms of landscape value in the long-term. The application is supported by a Landscape and Visual Impact Assessment (LVIA).
25. The LVIA observes that the site is located in the Leicestershire Vales (NCA94) character area with key characteristics (in summary) being open landscape of gentle clay ridges and valleys, woodland character derived largely from spinneys and copses on the ridges and varied historic landscape. The site is also set on the boundary with the Northamptonshire Uplands and Northamptonshire Vales. The sensitivity of the application site to change from certain types of development is assessed as being medium, whilst there is a weak landscape structure and in a poor condition due to the current land-use of the existing quarry void and minerals processing area.
26. The Landscape and Visual Impact Assessment ultimately concludes that whilst there would be some temporary landscape and visual effects arising from this proposal, these effects would be temporary and experienced at a site level or in the site's immediate locality.

Heritage

27. The application material identifies a number of above and in-ground heritage assets most notably including Bosworth Hall, its grounds and the Roman Catholic Church within them. The conservation area has high historic, archaeological and architectural heritage interest. This rests (respectively) in: the village's character and appearance which is illustrative of the agrarian economy of south Leicestershire through the historic period. The study identifies Bosworth, Chapel of St Mary and Church of All Saints, all grade II* listed. There are 19 further grade II listed buildings in the study area.
28. With the exception of Bosworth Hall, the setting of these buildings does not include the development site, with which they have no or very limited inter-visibility. The proposed development would not harm the heritage value of these listed buildings. There would be no development within the conservation area and its character and appearance would be unchanged. There would be no effect on the archaeological or architectural interest of the conservation area.
29. The proposed development is within fields that comprise part of the former extent of the parkland and enclosed farmland that is part of the wider Bosworth Hall estate. The development is within the setting of the Hall. In terms of longer-term residual effects, there are proposals to restore the landscape to its character predating later 20th century changes on completion of the quarrying activity.
30. In ground, non-designated, heritage assets in or on the application site include a Wellington Bomber memorial which is not listed but is included (as of November 2021) in the Leicestershire Historic Environment Record. It is a non-designated heritage asset with historic value. It is within the red line boundary of the proposed development site and the proposals would require its relocation. Discussions with the landowner have established that the memorial would be relocated to the southern edge of Gravel Pit Spinney where it would be outside of the proposed extent of gravel extraction and potentially overlook the crash site. There is no evidence remaining of the bomber crash site itself which is understood to have degraded or already been disturbed under pre-existing workings outside this application site.
31. A plaque commemorates the planting, in 2011, of a stand of Scots Pine. The plaque consists of a metal plate on wooden post. The small group of Scots Pine were planted on the site of a former group of older Scots Pine that had decayed naturally.

Ecology

32. The proposed working at the site is likely to have an impact on the site ecology. However, much of the ecological merits are derived from the scheme restoration.
33. The existing site comprises a mixed habitat as the application site is formed of a current mineral processing area, formerly worked areas of quarry and agricultural fields interspersed with hedgerows and small copse areas. The River Welland bounds the extension area to the east and connects the site with habitats in the wider area.
34. Identified habitats on the site comprise improved grassland (the majority of the site) and semi-improved grassland, two woodland copses, treelines and

hedgerows, the River Welland watercourse running in a narrow, shallow valley, ditches, dew ponds and former gravel pit lagoons.

35. Identified actual or potential species on, near or inhabiting the site include great crested newts, a variety of birds including barn owls, green sandpiper, sand martin, wetland birds including geese and ducks, bats and badgers.
36. Survey updates were undertaken during the course of the application which report that temporary lagoons, as a result of quarrying, are an uncharacteristic feature in the local landscape and were not found to support any notable bird species or large numbers of wetland birds. The exposed sand banks of the previous quarry workings were found to be used by sand martins. Bat species were found using the waterbodies, treelines and woodland blocks for foraging and commuting. Limited evidence of great crested newts was found on site, with the exception of one waterbody, and no breeding habitats were identified.

Soils

37. Soils on site were found to be predominantly on land of Grade 2 quality (forming the majority of the soil type at 81%), grade 3 – 18% and non-agricultural – 2%. Re-usable soils available on site were found to be a mix of, medium loam topsoil, heavy clay topsoil, stony medium loam subsoil and fine loamy subsoil. Land defined as grade 1, 2 or 3a of the Agricultural Land Classification is considered the most flexible, productive and efficient and is most capable of delivering crops for food and non-food use. Re-usable topsoils and subsoils are to be stored on-site during extraction as per the diagram above and utilised in restoration.

Amenity controls

Air quality

38. The most significant noted impact to air quality is identified as dust. The potential for the generation of dust from site activities and its dispersal through the atmosphere is dependent on the type and level of site activity, but also on prevailing meteorological conditions. A management plan has been provided which identifies trigger levels that relate to wind direction and proximity to residential properties and other sensitive uses. When those trigger conditions are reached, the management plan can provide for additional dust suppression measures to be implemented.
39. The location of potential dust generating activities will vary during different phases of working, and accordingly their relationship with dust-sensitive land uses around the site will change and it is therefore important that the minimisation of dust through site design is addressed at each phase of the operation coupled with a Dust Action Plan.
40. Soil stripping, storage and restoration operations give a risk of potentially higher dust emissions, however these are likely to be temporary. Site haulage can be a source of fugitive dust, particularly over long haul distances when vehicle speeds tend to be higher. A water bowser would be used along haul roads and around the extraction area when conditions require dust suppression.

Hours of operation

41. Proposed hours of working for the quarry are 0700-1800 Mondays to Fridays and 0700-1400 Saturdays. No operations would be undertaken on Sundays or public/bank holidays. This aligns with the previously permitted quarry operations at the site.

Noise

42. A background noise assessment has been carried out at four points around the quarry adjacent to the nearest sensitive receptors. Specifically at Bosworth Hall, Theddingworth Road, Butt Lane/Bromell Grove and Townend Close. Baseline background noise for these locations was determined to be 39-43 dB LA90 (noise exposure over an averaged 90 minutes).
43. Noise exposure during quarrying operations was determined to be negligible with the most notable exceedance during normal working being Bromell Grove where noise exposure could reach 45dB LAeq over 1 hour. Temporary exceedances may occur during 8 weeks over the year when particularly noisy operations are occurring such as soil stripping.
44. The above results are subject to on-site mitigations including good maintenance of vehicles, use of silencers and non-tonal reversing signals on vehicles.

Transport and traffic

45. The site will exclusively be accessed via the existing haul road onto the A5199 Welford Road. This comprises a fully upgraded road which is paved to hard surface up to the weighbridge and wheel wash and mineral processing area. The haul road varies in width and features passing places for HGVs along the narrower sections.
46. HGV movements to and from the site are estimated to, at maximum, be as follows in the table below. It should be noted figures are averages and will vary depending on the operational status of the quarry with a potential daily maximum of 300 vehicles (in+out). The “worst case” scenario has been assumed in the transport assessment to accurately consider potential impacts on the highway network rather than normal operations. Equally, movements could be lower. Additionally, some vehicle movements may be capable of being backloaded (i.e. vehicles will arrive and depart with full loads).

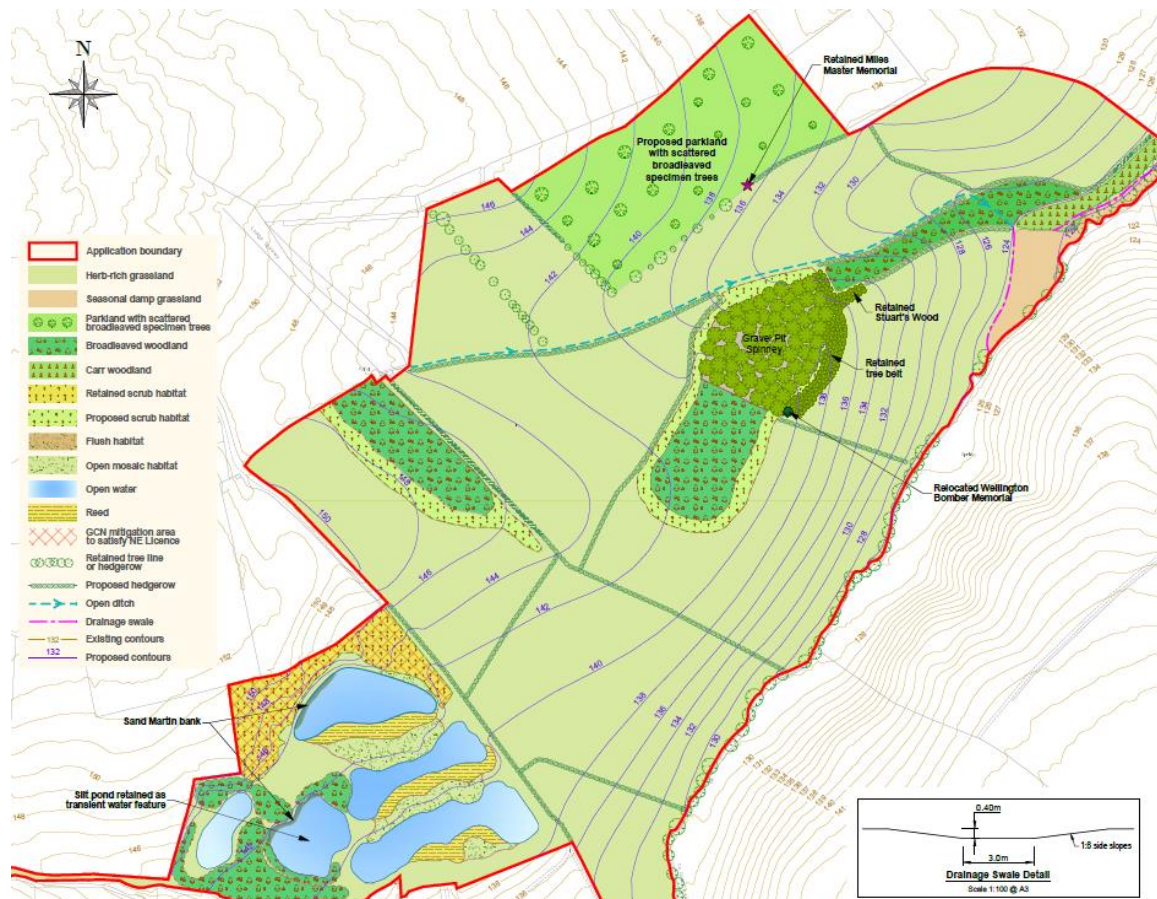
Operation	Daily movements (in+out)	Weekly movements (in+out) (5.5 days/ week)	Annual movements (in+out) (281 days/ annum)
Mineral exports	44	242	12,364
Bagging plant exports	50	275	14,050
Ready mix concrete export	40	220	11,240

Inert waste imports	80	440	22,480
Bagging plant imports	16	88	4,496
Cement mix import	2	11	562
Total	232	1,276	65,192

47. In terms of tonnages, the site is expected to extract up to 200,000 tonnes per annum. A total of 230,000 tonnes will be dispatched from the site (higher figure due to imports of other material not available on site to complete processed product). This is broken down to the approximate tonnages per annum as:
- 100,000 tonnes of processed mineral;
 - 60,000 tonnes ready mix concrete;
 - 70,000 tonnes aggregate bagged material.
48. It has been assumed that approximately 25% of HGV movements (58/day average) will travel south towards the A14 via Welford with the remainder travelling north towards the A4304 (174/day average). From here approximately two thirds of vehicles will travel west towards the M1 with the remainder travelling through Husbands Bosworth.
49. Access from the extraction area (phases 1-5) will be required to traverse Butt Lane. Provisions have been made to provide signage to alert users of the bridleway and those operating HGVs of this potential conflict.

Restoration

50. The site would be restored during, and after, its operational lifespan using overburden, subsoil and topsoil material from the site together with 1,300,000 tonnes of imported inert material and an additional amount of 25,000 tonnes of imported topsoil. The discrepancy between extracted material (900,000 tonnes) and imported material (1.3 million tonnes) is mainly due to the presence of pre-existing quarry voids.
51. The indicative restoration scheme is shown below with key elements including the retention of Gravel Pit Spinney towards the centre of the quarry working area, introduction of broadleaf woodland to the south and west of Gravel Pit Spinney with the western strip leading to the River Welland and the narrow valley and flood plain. Introduction of a parkland area to the north-east corner of the site is proposed in close proximity to Bosworth Hall. To the east a number of gravel pits would be retained with small sections of open water and sand martin banks together with additional areas of broadleaf planting. A few retained, mostly re-instated hedgerows would cross areas of the site with much of the remainder of the site otherwise being restored to grassland.



52. In terms of bio-diversity net gain following restoration, the applicant's submitted metric suggests that the proposed habitat creation and enhancements would create a net gain of +31.38% in Habitat Area Units as well as a +142.49% increase in Hedgerow Units. The restoration scheme as a whole incorporates a significant area of new high value habitats which will create numerous opportunities for wildlife including invertebrates, amphibians, birds and mammals. The provision of a significant area of new waterbodies, created and targeted purely for wildlife as well as the inclusion of reedbed habitat will provide habitat for shallow wading birds, invertebrates and amphibians. New woodland and scrub planting, as well as the management of the existing woodland habitats will create significant opportunities for invertebrates, birds, bats and badgers.

Planning Policy

The Development Plan

53. The relevant local development plan policies are contained within the Leicestershire Minerals and Waste Local Plan and Harborough Local Plan.

54. Leicestershire Minerals and Waste Local Plan (adopted September 2019):

- Policy M1: Supply of Sand and Gravel Aggregate
- Policy M2: Supply of Sand and Gravel Aggregate from Existing Sites
- Policy M13: Associated Industrial Development
- Policy W1: Waste Management Capacity
- Policy W3: Strategic Waste Facilities
- Policy W5: Locating Waste Facilities

- Policy W8: Waste Disposal
- Policy DM1: Sustainable Development
- Policy DM2: Local Environment and Community Protection
- Policy DM3: Strategic Green Infrastructure
- Policy DM5: Landscape Impact
- Policy DM7: Sites of Biodiversity/Geodiversity Interest
- Policy DM8: Historic Environment
- Policy DM9: Transportation by Road
- Policy DM10: Public Rights of Way
- Policy DM11: Cumulative Impact
- Policy DM12: Restoration, Aftercare and After-use

55. Site allocation SA3 refers specifically to Husbands Bosworth Quarry and allows for the site to be used for sand and gravel extraction in a defined area with restoration using imported waste. This site allocation is included as Appendix B for information.

56. Harborough Local Plan 2011-2031 (Adopted April 2019):

- Policy GD1 Achieving sustainable development
- Policy GD3 Development in the countryside
- Policy GD5 Landscape character
- Policy HC1 Built heritage
- Policy GI5 Biodiversity and geodiversity
- Policy IN2 Sustainable transport

National Policy

57. National Planning Policy Framework (NPPF), key paragraphs include:

- Paragraphs 10, 11: Presumption in favour of Sustainable Development, approving development proposals that accord with an up-to-date development plan without delay;
- Paragraph 180: Enhance and contribute towards the natural and local environment, if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;
- Paragraphs 194-203 Relating to heritage assets, significance of any heritage assets affected, including any contribution made by their setting, take account of sustaining and enhancing the significance of heritage assets;
- Paragraph 209, 211: Sustainable use of minerals, it is essential that there is a sufficient supply of minerals to provide the infrastructure, buildings, energy and goods that the country needs. Since minerals are a finite natural resource, and can only be worked where they are found, best use needs to be made of them to secure their long-term conservation.

58. National Planning Policy for Waste (NPPW)

Consultations

59. Initial consultation on the application was followed by three subsequent requests for further information under Regulation 25 of the EIA Regulations (details provided below under Publicity/Representations). The following is a summary of the most recent observations that align with pertinent information provision.
60. **Harborough District Council** – raise no issues that are not already being considered by the statutory consultees and relevant experts in specialist areas. Echo the concerns of the Parish Council in respect of the impact of traffic travelling through Husbands Bosworth and trust that the Highway Authority’s comments will be acted on accordingly. Similarly, trust every effort will be made to protect heritage assets as recommended by Historic England.
61. There appear to be no issues in respect of drainage, ecology and air quality and, therefore, have no comments in respect of these matters. As this is an established quarry, no objections are raised to its continued operation subject to appropriate restoration.
62. **Harborough District Council (Environmental Health Officer)** – no objections as the submitted air quality assessment is acceptable.
63. **Husbands Bosworth Parish Council** – In principle Husbands Bosworth Parish Council does not object to this planning application.
64. The bridleway which extends from Butt Lane towards Sibbertoft is crossed by a connecting route from one section of the quarry to another. Large heavy vehicles use this route. We would expect this small section of the bridleway to be kept in good condition, especially in winter and that the public right of way is not impeded at any time.
65. A major impact for the village of Husbands Bosworth, will be the number of vehicle movements. We would therefore request that a one-way system is implemented to reduce the number of vehicles passing through the centre of the village where a primary school and village hall are situated. We would ask all parties to investigate the feasibility of the authorised route for incoming vehicles approaching the quarry from North Kilworth (A4304) accessing the quarry via Station Road and Welford Road (A5199) rather than Kilworth Road and Welford Road.
66. **Welford Parish Council** - One of the concerns expressed is the swept path that has been installed by the site does not account for the length of vehicles currently accessing/egressing the location onto the A5199. As such the Parish Council ask that a swept path analysis is undertaken.
67. Tarmac closed the site in November 2019. After nearly 3 years of the site not extracting mineral the Parish Council question whether it can be considered a “continuation” of activities? There has been no consideration or road survey of the suitability of HGV traffic on the A5199 south of the county boundary. The introduction of a concrete batching plant will introduce a new type of time critical HGV traffic. GRS were operating under the wing of Tarmac’s planning consent, this arrangement ceased when the quarry site closed. GRS should have vacated the site by December 2020 and have been operating without planning consent

since then. Their application to get their own permission to continue trading was unanimously refused in November 2021. Enforcement is being delayed while the quarry planning application is being considered.

68. Welford Parish Council still maintains its objection to the planning application. previous comments included concerns on increased volume of traffic, absence of a traffic mitigation plan, environmental impacts on Welford and Husbands Bosworth, highlighting the significant narrowing of the carriageway and large number of parked vehicles on the A5199 as it passes through Welford.
69. **Environment Agency** – No objections subject to advisory notes.
70. **Lead Local Flood Authority (Leicestershire County Council)** – No objections subject to conditions and informative advice.
71. **Highways Authority (Leicestershire County Council)** –once fully operational it is expected the proposed quarry would generate no more traffic than historic levels at its peak. It would be reasonable to consider that the proposals are unlikely to lead to significant intensification or the introduction of different trip profile on the highway network given the existing operation.
72. Therefore, in the site-specific circumstances it is not considered that this development proposal would lead to a severe or unacceptable highway impact in the context of the NPPF. As such the LHA would not seek to resist this application.
73. The Local Highway Authority advice is that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021).
74. **Highways Authority (Public Rights of Way)** - Butt Lane is a Public Bridleway A2, which runs through Husbands Bosworth Quarry. Public Rights of Way have no objection to this application subject to conditions.
75. **West Northamptonshire Council (as neighbouring Highways Authority)** - In respect of the above planning application and in response to the applicant's most recently submitted information (Annexure 15 - Technical Note Historic and Forecast Traffic Movements), the local highway authority (LHA) has no comments to make.
76. **Natural England** – Made no objection to the original proposal. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
77. **Leicestershire County Council (LCC) Ecology** – The indicative restoration scheme is acceptable in principle and will result in a 31% net gain in biodiversity. There was concern about the loss of existing wetlands and open mosaic habitats, and the time delay between their loss and re-creation. Although open mosaic habitat does not feature in the restoration scheme, as had been hoped, the restoration scheme can be amended to leave some areas unrestored, ideally

around the new wetland pools west of Butt Lane. It is understood it is not possible to create new wetland or open water habitat west of Butt Lane until the entire extraction process is complete. However, it should be possible during the works to retain wetland and open water habitats within the site, this is particularly important for the sand martins and newts. The metric has been amended to show 'other neutral grassland' as requested, given how difficult 'lowland meadow' is to create. This can still be species-rich, but is a more realistic habitat to aim for, and more likely to meet the required target condition.

78. **LCC Landscape** –the additional proposed open water bodies and reed beds to supplement the broadleaved woodland and retained scrub to the west of Butt Lane is welcomed. LCC landscape are satisfied in principle with the restoration of the historic landscape with the proposed parkland, hedgerows, broadleaved woodland and grassland habitat to the west of the Gravel Pit Spinney and proposed spine of broadleaved woodland. LCC Landscape seek information relating to the protection of existing vegetation and a detailed landscape scheme controlled by planning condition.
79. **LCC Archaeology** – Satisfied that the archaeological and cultural heritage interests have been adequately addressed in the submitted information, and that these matters can be satisfactorily addressed by securing the further work by condition upon any future planning approval. LCC Archaeology recommend that any planning permission be granted subject to planning conditions (informed by paragraph 37 of Historic England's Managing Significance in Decision-Taking in the Historic Environment GPA 2), to safeguard any important archaeological remains potentially present.
80. **LCC Heritage** –The additional heritage information confirms limited intervisibility between Bosworth Hall and the quarry, even during the winter. This may help to alleviate concerns expressed by Historic England about the impact of the development on the setting of the listed Hall, but it remains likely that the wider environment in which the designated heritage asset is experienced will be compromised and the statutory obligation, section 66 of the 1990 Act, and planning balancing exercise, described in paragraph 202 of the NPPF in respect of less than substantial harm, will need to be considered in the decision making process.
81. **Historic England** - With the presence of silt ponds and sand banks and without any evidence to demonstrate the proposed restoration scheme would restore features and a character which predates the changes of the later 20th century we are not convinced the restoration scheme would amount to heritage benefits.
82. It remains the view of Historic England that the proposed extension to the quarry at Husbands Bosworth and the associated workings will result in a less than substantial level of harm to the setting and significance of both Bosworth Hall and of the Chapel of St Mary, due to the loss of historic parkland and change in its character.
83. Historic England has concerns regarding the application on heritage grounds.
84. **East Midlands Airport** – Have no objection to this development.

85. **Civil Aviation Authority** – Please note in all cases aviation safeguarding responsibility rests with the aerodrome/ site operator, not the CAA. Every location presents a unique habitat that influences the type and population of bird species present. It is therefore essential that the most appropriate and effective measures are identified and adapted to suit local conditions.
86. The CAA understand that Husbands Bosworth Airfield support the planning application, and that in their opinion the operational risk from wildlife will be lowered if the planning application is approved. While the CAA take no position on their assessment, it is stressed that the CAA should be informed if the local planning authority is minded to grant permission to an application when an aviation stakeholder has objected.
87. **Health and Safety Executive** - no comment to make.

Publicity and Representations

88. The application was received in March 2021 and was advertised via two site notices (on Butt Lane and the site entrance) and press notice in accordance with the County Council's adopted Statement of Community Involvement. Due to the remote position of the site with no immediate neighbours; no direct letters were sent to neighbours in the first instance. Eighty-one responses were received from nearby residents in response to the initial round of consultation, although some of these were in duplicate.
89. Additional information requests (EIA Regulation 25 requests for further information) were made on three subsequent occasions; July and December 2021 and August 2022. Following the receipt of responses to these requests, the application was, in each instance, advertised again by press and site notices, and notification to original respondents by email. During these subsequent notification periods, additional comments were received from interested local residents. These did not always align with the Council's consultation periods and as such it is not possible to identify whether these were necessarily connected with different rounds of consultation. Furthermore, this application was in hand whilst the retrospective bagging plant application (2021/1552/03) was also being considered and certain comments may have crossed. This notwithstanding, all comments have been considered having regard to the Council Statement of Community Involvement.
90. In total, in excess of 100 comments were received in relation to all notifications which make comments in relation to the following issues, some in duplicate, (broadly listed in order of frequency the comments raised, starting with most common theme of comment):
- Traffic from the quarry passing through nearby villages with specific concerns related to:
 - Potential danger to pedestrians, cyclists, horses, pets, other roads users and proximity to local schools;
 - Increases in congestion and delays due to difficulty of navigating large vehicles through villages;
 - Causing damage through vibration;
 - Noise from HGVs passing through villages;
 - Increase in local pollution from HGVs and air quality implications;
 - Conflict with parked vehicles;

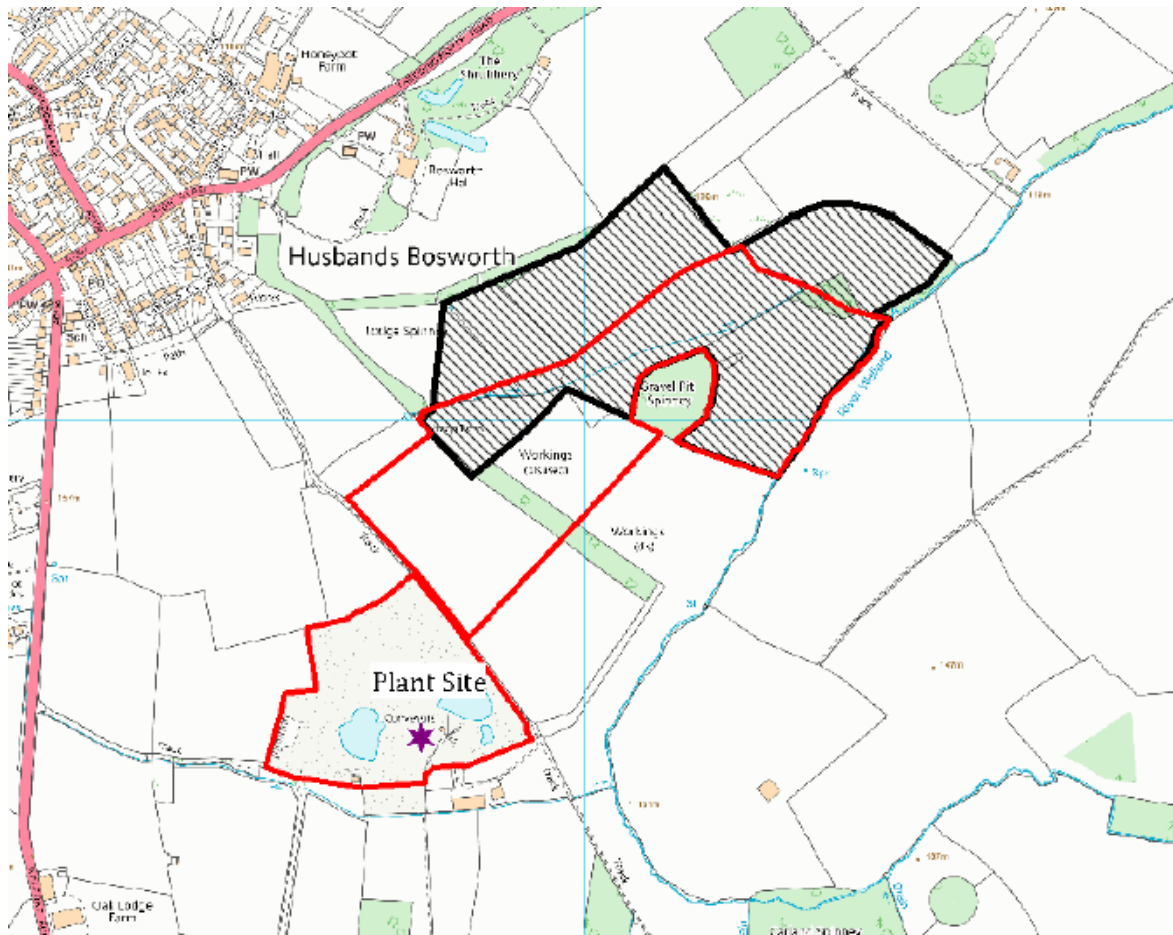
- Mud on road from quarry operations;
- Impact on the Butt Lane bridleway crossing;
- Hours of operation to be restricted to daytime and week days only;
- Delays in quarry restoration and continuing operations;
- Odour from site;
- Disturbance to local wildlife.

91. It should be noted that the overwhelming majority of comments were in relation to traffic from the quarry with a sizeable proportion coming from residents of Welford, including via the Parish Council and the local Welford Action Group.
92. Two letters of support were received citing improvements to local business and economy.
93. The neighbouring gliding club supports the application based on a reduction in the amount of open water, compared to the current situation which removes the likelihood of bird strikes.
94. The issues raised are considered in the Assessment of Proposal section of this report.

Assessment of Proposal

Principle of development

95. The application site is located within the open countryside as designated by the Harborough Local Plan (HLP). The Leicestershire Minerals and Waste Local Plan (LMWLP) allocates the site for sand and gravel extraction and for restoration using imported inert waste as defined by policies M2 and W8 and under site allocation SA3 (see image below). As such, the principle of the use of the site for these purposes is acceptable. This is subject to compliance with provisions of the development plan and specifically the requirements of site allocation SA3 which are considered in detail below.
96. Extraction from the site, once operational, is to be conducted over a period of eight years with five phases. A total of 900,000 tonnes of sand and gravel is to be extracted at up to 200,000 tonnes per annum.



97. As can be seen in the above extract from the LMWLP, the proposed area for extraction remains smaller than that which is allowed for in the plan. Specifically, areas towards the north are not proposed for extraction. However, certain areas to the south are proposed for restoration which are set outside the hatched area. However, these areas do comprise parts of the formerly worked quarry areas and the applicant proposes to restore these areas using arisings generated on site only.

98. As such, from a broad perspective, the application site area may be considered to comply with the requirements of site allocation SA3 and policy M2.

Policy assessment

99. Site allocation SA3 details Site Specific Planning Requirements. Detailed commentary on this is provided in specific relevant sections of this report, but a summary is provided below.

- Extension to existing extraction area shall be limited to the cross-hatched area.

100. The site extraction area falls entirely within the cross hatched area and is in fact more limited than is allowed for under this allocation in order to retain the integrity of the setting of Bosworth Hall.

- Impact on the River Welland and its floodplain.
- Protection of a corridor of natural open space alongside the River Welland and around any retained wetlands.

101. The impact on the River Welland corridor has been considered within the ecological and landscape assessment for the scheme. The restoration scheme includes a variety of habitats along the River Welland.

- Assessment of the effect on the setting of Bosworth Hall.
- Appropriate management of non-designated heritage assets.

102. The application has given due consideration to the setting of Bosworth Hall and includes a full assessment of this. Restoration proposals include a tree shelter belt to provide screening between the Hall and Quarry working during the quarry's life span and subsequent restoration of grounds to a parkland setting. Non-designated heritage assets on site were assessed and found to be relatively limited.

- Assessment of the ecological value of the unnamed woodland within the site.

103. The copse to the east of Gravel Pit Spinney has been included as part of the overall site assessment. This is to be incorporated into the restoration scheme's link to the Welland corridor.

- Retained hedgerows should incorporate an element of traditional hedgerow management, where not already being so managed.
- Restoration proposals which reflect the objectives of the Laughton Hills local landscape and Leicestershire Vales national landscape character areas, and provide the best balance of enhancing biodiversity and the preservation of best and most versatile soil resources.
- Restoration to include woodland to link Gravel Pit Spinney to existing woodland adjacent to the River Welland and provide for a net gain to biodiversity above that currently consented on those areas already subject to restoration requirements.

104. The restoration scheme takes account of the landscape character area where possible, balanced against the present inconsistent land use for the open countryside and ecological needs for restoration. The restoration scheme also includes a tree and hedgerow link from Gravel Pit Spinney to the River Welland corridor.

- Restoration to be achieved with the importation of inert waste within the area outlined in red.

105. Imported material is to be used within identified areas (excepting for material re-used on site) with areas outside the defined area to be used for arisings from within the application site only.

Supply of minerals and waste disposal

106. The Leicestershire Local Aggregates Assessment (LAA - October 2022) identifies a total requirement for 13.09 million tonnes of sand and gravel over the 2020-2031 period with an annual requirement of 1.19 million tonnes. It is presently identified that there will be a shortfall of sand and gravel reserves over the period to 2031 of some 10.56 million tonnes.

107. The applicant's Aggregates Assessment notes that "There are increasing signs of problems regarding the provision of further sand and gravel resources, as witnessed by the low landbank, the low number of new applications being submitted, the limited number of sites allocated in the newly adopted Leicestershire Minerals and Waste Local Plan which resulted from a lack of sites being put forward by industry during the submission stage."
108. The most recent Leicestershire LAA identifies the County has a sand and gravel landbank of 2.2 years, which is substantially lower than the seven years landbank mandated by the NPPF.
109. As noted, Husbands Bosworth is an identified site for the provision of sand and gravel and, from the perspective of supply of this type of mineral, the application is welcomed and is supported having regard to policy M2 of the LMWLP.
110. Parts of the site which have already been extracted will be back filled using inert waste, also known as construction, demolition and excavation (CD&E). This typically comprises waste materials from extraction sites themselves but also extends to wastes from demolition and construction projects. Materials will typically include subsoils, broken concrete, bricks, tiles and planings that are not contaminated or pose any risk to the local environment. The specific types of materials are controlled by the Environment Agency and licenced under and Environmental Permit. The development is supported by policy W8 of the LMWLP.
111. Overall, the extent of the area to be worked is in compliance with the area specified in site allocation SA3 and policy M2. Being mindful of the shortage of supply of sand and gravel within Leicestershire and the County's low sand and gravel landbank, the application has to be supported on this site which was allocated through the LMWLP.

Associated industrial and mineral processing functions

112. The application proposes associated industrial operations in connection with the extraction of sand and gravel at the site. These functions would all be located in the existing mineral processing area, an area which has been formerly worked and presently accommodates the site's administrative and welfare buildings, parking and the currently unauthorised bagging plant.
113. The operations proposed would include a mineral processing plant to wash, screen and grade extracted material, a cement batching plant where extracted material would be blended with imported materials to create ready-mix concrete and the retention of the existing bagging plant. These uses can be acceptable in principle under the provisions of policy M13 of the LMWLP when they are in connection with quarrying operations. This ensures that industrial functions legitimately connected with extraction operations are concentrated in a single area and is allowable against the general presumption against forms of industrial development in the open countryside.
114. The operations would involve the importation of some materials from off-site. Historically, the Council has granted permission for the importation of 26,000

tonnes of imported material from Mountsorrel Quarry (2012/1030/03). This permission is no longer extant.

115. Members may recall that an application for the continued use of the bagging plant (2021/1552/03) was refused permission in 2021 due to it being unrelated to any quarrying operations, conflict with site restoration requirements and failure to demonstrate that the use would not be harmful to highway safety. It is noted that these reasons may now be considered to have been addressed. At the time of the application, no material was being extracted from the site and all material was being imported. Once the quarry becomes operational again, these reasons for refusal will fall away for the duration of quarrying operations. Restoration of this part of the site will be delayed due to ongoing quarrying operations and the submitted highway statement has addressed concerns on highway safety generally (refer to further discussion below in relation to latter point).
116. The applicant proposes to import 26,000 tonnes of material per annum in connection with the bagging plant – consistent with that which was previously considered acceptable under planning permission 2012/1030/03. The applicant's justification for the imported material is due to the type of material needed to be blended not being available on site. These materials include buildings sands of differing colour, type 1 material (typically granite, limestone or crushed concrete) and plastering sand. Bagging plant imports would amount to 16 movements per day (8 in, 8 out).
117. The cement mixing plant would also require the importation of material – specifically cement mix which cannot be sourced on site. The importation of material would amount to two movements per day (1 in, 1 out).
118. The associated industrial uses would largely be in connection with the quarrying operations at the quarry and are acceptable having regard to policy M13 for the duration of quarrying operations. Conditions are recommended to be imposed to ensure the complete removal of plant upon cessation of the use of the quarry.

Imported material for landfilling

119. In accordance with site allocation SA3, the scheme proposes the importation of 1.3 million tonnes of inert material. This figure exceeds the amount of material to be extracted due to the presence of pre-existing voids at the site which will be backfilled using material from on-site (areas A and B) in order to comply with the SA3 allocation that does not allow for imported material to be used in these areas. The imported material will be inert CD&E waste material, typically from demolition and/or construction sites. The balance of the imported material will then be used to backfill the voids formed in phases 1-5 as part of the restoration process.
120. An additional 25,000 tonnes of imported topsoil will also be used as insufficient amounts of this type of material are available on site to achieve a satisfactory restoration.
121. The landfilling of inert CD&E waste comprises an operation which is consistent with policy W8 of the LMWLP and results in environmental enhancements to the site where, otherwise, vacant disused sand pits would be the outcome.

122. As this is an allocated site, the importation of this material is acceptable having regard to policy W8. Although the site is not located within a broad area for waste facilities under policy W3 (namely in or close to the urban areas of Loughborough/Shepshed, Hinckley/Burbage and Coalville and close to the urban area of Leicester), it is an existing mineral working site and therefore complies within the exception allowed for under policy W5(iv).

Agriculture/Conservation of Soil Resources

123. As noted above, soil material to be retained on site would be managed in order to achieve a satisfactory restoration using on site resources where available and managed to comply with site allocation SA3.
124. Soils on site were found to be predominantly on land of Grade 2 quality (forming the majority of the soil type at 81%), grade 3 – 18% and non-agricultural – 2%. Re-usable soils available on site were found to be a mix of, medium loam topsoil, heavy clay topsoil, stony medium loam subsoil and fine loamy subsoil. Re-usable topsoil and subsoils are to be stored on-site during extraction. Topsoil mounds would be formed to the north of the extraction area in 3 metre mounds (T1 and T2 on the working scheme plan) while subsoils would be stored to the south east of restoration area A. As such, the scheme is considered to comply with policy DM6 of the LMWLP.

Landscape and Visual Impact

125. A landscape and visual impact assessment was submitted with the application, assessing the site from five viewpoint locations. The assessment revealed that during operations the landscape impact would range from moderate neutral in terms of significance of effect to major adverse. A key reason for not scoring a more significant impact was due to the presence of screening around the site which largely obscures operations on the site from view. Following restoration of the site in 15 years, the conclusions of the assessment was that the restoration would achieve a major beneficial effect on landscape character.
126. The restoration scheme was also revised during the course of the application and is expected to achieve equally good results in terms of landscape character.
127. The Council's landscape officer supports the proposals based on the restoration outcomes presently proposed and particularly welcomed the connection of Gravel Spinney Copse to the Welland Corridor by a tree belt, as is prescribed by site allocation SA3.
128. Policy DM5 notes that planning permission will be granted for minerals and waste development where it is demonstrated that the proposal is well designed, contributes positively to the character and quality of the area in which it is to be located, and (where appropriate) contains sufficient provision for new woodland planting. In this instance, having regard to the landscape plan and the SA3 allocation requiring the retention of Gravel Pit Spinney and new connection (on restoration) to the Welland corridor, it is considered that the development will, upon restoration, accord with this provision.

Ecology and Biodiversity

129. The current site has a mixed ecological value featuring habitats comprised of open fields, copse woodland, tree and hedge belts along with interim open water features and sand banks connected with former quarrying operations. A number of these features will be lost during quarrying operations although a number of significance are to be preserved including woodland copses and tree belts. The main benefits of the scheme are derived from the restoration of the site which is to be restored in accordance with site allocation SA3 and would achieve a biodiversity net gain.
130. During operations the site will have its ecological merit retained as best possible, although the creation of new wetland or open water habitat west of Butt Lane cannot be implemented until the entire extraction process is complete. However, it should be possible during the works to retain wetland and open water habitats somewhere on the site, this is particularly important for the sand martins and newts. Conditions are proposed to secure this.
131. The indicative restoration scheme is acceptable and will result in a 31% biodiversity net gain by area and 142% increase in hedgerow. There was concern about the loss of existing wetlands and open mosaic habitats, and the time delay between their loss and re-creation. Although open mosaic habitat does not feature in the restoration scheme, as had been hoped. The restoration scheme can be amended to leave some areas unrestored, ideally around the new wetland pools west of Butt Lane. The development minimises impacts on biodiversity and takes opportunities to provide a net gain in biodiversity as is required by policy DM7.

Heritage

132. It has been observed by the Council's heritage officer and by Historic England, that operation of the quarry would result in short term harm to the setting of the nearby Bosworth Hall and St Mary's Church. Moreover, some long-term harm has been identified to the historic curtilage of the Hall through alteration to the historic landscape. However, no significant harm has been identified to any historic buildings directly due to a lack of views between these two areas, even in winter months.
133. Historic England consider this to be a less than substantial level of harm to the setting and significance of both Bosworth Hall and of the Chapel of St Mary, due to the loss of historic parkland and change in its character. The "less than substantial level of harm" commentary indicates that there would be harm to the setting of the building(s) and therefore the desirability of preserving the historic character of this area and buildings needs to be balanced with other material considerations. Section 66 of The TCPA Act and paragraph 202 of the NPPF state that a planning balancing exercise should be carried out. Paragraph 202 sets out that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
134. In this instance, as has been noted, the application site is allocated for sand and gravel extraction in the LMWLP. Indeed, this allocation extends further towards

these listed buildings than is presently proposed. Accordingly, a balance needs to be struck between the requirements to preserve the integrity of historic buildings and their settings and a demonstrable need to extract vital mineral resources in an area which is already allocated for such purposes within the development plan.

135. Mitigations have been proposed by the applicant, the Council's heritage officer and landscape officer which include maintenance and enhancement of certain features. Most notably this includes the retention of the shelter belt of trees between the quarry site and historic buildings together with the most appropriate possible restoration of the site following the completion of works. Unfortunately, due to the open cast nature of sand and gravel workings, it remains an almost impossible prospect to restore the landscape with a like-for-like restoration. The restoration scheme proposed by the applicant has other significant benefits including landscape and ecological improvements (as is discussed elsewhere in this report) such that on balance, the less than substantial harm caused to the historic character is outweighed by other material considerations in this instance. This is subject to greater details on the restoration scheme at the time of completion of site operation and the creation of other mitigations such as the shelter belt.
136. The applicant undertook investigations of the site to determine the presence of other in-ground heritage assets. The only in ground, non-designated, heritage assets in or on the application site comprises a Wellington Bomber memorial. It is a non-designated heritage asset with historic value. It is within the red line boundary of the proposed development site and the proposals would require its relocation. The memorial would be relocated to the southern edge of Gravel Pit Spinney (as indicated on the restoration plan) where it would be outside of the proposed extent of gravel extraction and potentially overlook the crash site. There is no evidence remaining of the bomber crash site itself which is understood to have degraded or already been disturbed under pre-existing workings outside the red edge of the application site.
137. There is a presumption against minerals and waste development that will be detrimental to the significance of a heritage asset under policy DM8. Moreover where a proposal would affect a non-designated heritage asset, the benefits of the proposal will be balanced against the scale of harm to or loss of the heritage asset (including archaeological features) and its significance. In this case, a balancing exercise has been carried out and it is concluded that, notwithstanding identified less than substantial harm, the development remains in accordance with the LMWLP.

Traffic, Access and Parking

138. The application notes that the site will generate 116 daily loads or 232 two-way movements (116 in and 116 out) at peak operations and these figures could well be lower for much of the duration of operations. The applicant has provided historical data for the operation of this site. This shows vehicle movements being at their peak in 2015 at approximately the same levels as the peak indicated in this proposal (two movements per day less). It is noted however that this remains above the normal rate of operations for the site in the intervening period. Equally however, the peak operations for this current proposal are also unlikely to hit the maximum projections on a frequent basis as

this is presented as the 'worst-case' scenario that could be placed onto the local road network in order to ensure a rigorous assessment of the proposal.

139. The highway authority has made multiple information requests to the applicant which culminated in the provision of information and clarifies that proposed movements are unlikely to be materially different to those which have historically been accommodated on the road network.
140. The highway authority has raised no objections to the proposal on this basis, noting that it would be reasonable to consider that the proposals are unlikely to lead to significant intensification or the introduction of a different trip profile on the highway network. In the site-specific circumstances, it is not considered that this development proposal would lead to a severe or unacceptable highway impact in the context of the NPPF (paragraph 111) and as such the highway authority would not seek to resist this application. Comments have also been received from West Northamptonshire Council as the adjoining highway authority, which also expresses no objections to the scheme.
141. Residents of Welford, including the Parish, particularly commented on HGV movements through this village in Northamptonshire and between the site and A14. The relatively narrow and constrained route through Welford was observed as not being especially suitable for large HGVs. These comments remain fair and are not an invalid observation. There are estimated to be approximately 120 houses on, or in close proximity to, the A5199 within Welford. However, the route through Welford village forms part of the strategic road network for both counties (the A5199). The route is the most direct towards the A14 and routes towards the east and west of the site along trunk infrastructure (A14 and M6). The transport statement indicates that approximately one quarter of all movements to and from the quarry would be routed through Welford. As the village is on the strategic road network (albeit within Northamptonshire) it is difficult to express objection to the scheme in this context.
142. Equally, approximately one quarter of movements to/from the quarry would pass through the main part of Husbands Bosworth (along the High Street east of the junction with the Welford Road). Approximately 50% of all movements would pass along the Welford Road before turning west towards Lutterworth and the M1. As such, the Welford Road between the quarry and A4303 in Husbands Bosworth would receive the highest number of vehicle movements with 75% of HGV traffic using this 650 metre stretch of road. This stretch of road has approximately 100 houses on, or in close proximity to it.
143. Husbands Bosworth Parish requested the consideration of a one-way system involving the use of Station Road to minimise through traffic through the village. However, Station Road is single track, or at least very narrow, with no centre line markings, and raises the potential for vehicle conflict as not all vehicles using this road would be respecting the one-way system proposed for just quarry related HGVs. Moreover, the junctions at either end of Station Road have not been fully assessed as to whether they could safely accommodate HGV turning movements.
144. Almost all comments received in relation to the application were to do with HGV traffic and the impacts of this – including (but not exclusively) noise, congestion, safety concerns, air quality and pollution, especially in and around villages. All

these comments have been noted, however it also needs to be mentioned that all HGV traffic (excepting for incidences of more locally bound traffic) will be confined to the strategic road network of the A3403 and A5199 and leading to M1 or A14. Unfortunately, these routes do pass through Husbands Bosworth, Welford, North Kilworth and Walcote, amongst others. It remains a fundamental impossibility to divert HGVs to any other routes without having a disproportionate impact on certain residents or requiring significant diversions for HGVs with resultant increases in overall emissions.

145. At present, the HGV movement distribution is relatively evenly balanced between nearby villages. Unfortunately, those villages in closer proximity to the national highway trunk network may be subject to slightly higher impacts as a consequence of their proximity. Husbands Bosworth Quarry remains an allocated site for sand and gravel extraction with restoration using imported material and HGV traffic must be routed somewhere. Ultimately, the quarry operations will only continue for a temporary period (albeit an extended one).
146. Given the nearby villages positions on the strategic road network, it is not possible to offer any meaningful mitigations. The possibility of a routeing agreement to control the travel paths and permitted routes of vehicles accessing the site was considered as part of the application process. However, such an agreement would only achieve significant increases in travel distances for vehicles accessing the site and transfer any deleterious effects to other communities. At present, the expected travel routes for vehicles represents a relatively fair distribution of movements that do not unreasonably impact any local community more than another.
147. More locally to the site, conditions are to be imposed on any planning permission granted relating to mud on the surrounding highway network and ensuring the wheel wash on site is used to minimise mud and dust on the highway. The applicant has also proposed on site mitigations (referred to below) which should minimise dust generation.
148. The access to the site itself is in existence and tracking movements supplied by the applicant indicate it is wide enough to allow HGVs to access and egress from the application site. Tracking movements show that it is unlikely that HGVs will be able to enter and leave at the same time however this is an unlikely scenario and in any case improvements to the access would result in a loss of hedgerow which would be undesirable. Moreover, the site has operated for a significant amount of time and no incidents of note have been recorded which may give cause for objection. The development is therefore considered to comply with policy DM9 of the LMWLP.

Public Rights of Way

149. No public rights of way would be impacted by the scheme with the one, noteworthy, exception of the crossing at Butt Lane. This is a designated bridleway (A2) and plant will need to cross this bridleway from the working extraction elements of the quarry to the mineral processing area. This situation has operated with a number of former worked parts of the quarry with no noted incidents and the Public Rights of Way Officer has no objection to this. The applicant has submitted details of signage to be erected at this crossing point (although there is already some limited signage in situ). A condition requiring a

management plan for this crossing point to be submitted is considered prudent given potential conflicts between large vehicles and pedestrians/riders or other users of the highway being unlikely to expect this scenario. Disruption to the right of way is unavoidable and mitigated in this instance in accordance with policy DM10.

Noise

150. The quarry benefits to a certain extent by being relatively separate from surrounding residential properties with no shared boundaries and the nearest sensitive receptor being at least 200 metres from any site operations. The Council does not hold any recent records of any noise complaints from the site.
151. A noise assessment was submitted with the application. This notes a relatively quiet environment at the modelled locations near the site. These locations were at Bosworth Hall, Theddingworth Road, Butt Lane/Bromell Grove and Townend Close with the latter two being in closest proximity to current and proposed working areas of the site (extraction area and mineral plant respectively).
152. All locations modelled indicated ambient noise levels of around 39-43 dB LA90. This level being noted as typically very quiet and equivalent to a peaceful suburban or rural neighbourhood.
153. Mineral planning authorities should aim to establish a noise limit, through a planning condition, at the noise-sensitive property that does not exceed the background noise level (LA90,1h) by more than 10dB(A) during normal working hours. Where it will be difficult not to exceed the background level by more than 10dB(A) without imposing unreasonable burdens on the mineral operator, the limit set should be as near that level as practicable. In any event, the total noise from the operations should not exceed 55dB(A) LAeq, 1h (free field). For operations during the evening (1900-2200) the noise limits should not exceed the background noise level (LA90,1h) by more than 10dB(A) and should not exceed 55dB(A) LAe.q.
154. In certain instances, noise may exceed this level from temporary operations, such as soil stripping, bund construction, or final restoration works. This is allowed for as set out in the minerals section of the Planning Practice Guidance subject to a restriction on no more than 8 weeks in any calendar year and with a cap of 70dB LAeq 1 hour. Such operations should also fall within normal working hours (as is already to be proposed by conditions of any planning permission). Subsoil mounds T1 and T2 may facilitate a small reduction in noise exposure to residents of Husbands Bosworth due to their height and location but it should be noted that the applicant does not rely on this as part of their case.
155. Conditions will restrict the extent of noise exposure allowed and provide for ongoing monitoring in the event of a noise complaint being raised by any local residents. Plant operating on site is to be prevented from using intrusive high pitched reversing alarms or the like. With controls, the development complies with policy DM2.

Air Quality/Dust

156. Quarrying operations from the site may give rise to incidences of dust, particularly through operations including soil stripping and restoration activities, general transportation of material in and around and to and from the quarry. This can be of particular concern in dry conditions. However, the site benefits from its separation to neighbouring dwellings such that even in dry conditions, fugitive dust should be minimised.
157. The applicant has proposed various mitigations which include ensuring surfaces are kept damp during dry conditions, minimisation of drop heights from loaders and excavators, use of water bowsers on dry surfaces including the haul road, sheeting of HGVs and use of wheel wash facility. These would be coupled with on-site management and daily review of operations.
158. Conditions are imposed to minimise the incidence of dust and any wind blown particulates reaching any nearby premises with restriction to ensure operations are temporarily ceased in significantly adverse conditions or on receipt of a complaint. The development thus complies with policy DM2.

Odour

159. Comments have been raised by some local residents regarding odour from site operations. However, it remains highly unlikely that the site will generate odour during normal site operations as only sand and gravel is to be extracted. The site is to be backfilled with inert CD&E waste which does not have a significant odour.

Flood Risk and Water Management

160. The overwhelming majority of the application site is located within Environment Agency Flood Zone 1 (lowest probability of flooding). Narrow corridors of areas falling within zones 2 and 3 exist along a small drainage ditch broadly running west-east through the centre of the site and draining to the River Welland Corridor. Small areas of flood zone 2 exist around some of the existing pond areas.
161. Having regard to policy DM2, the application has demonstrated no adverse downstream impacts from the development and no objections are raised to the scheme by the Environment Agency or Lead Local Flood Authority, subject to conditions.

Socio-Economic Impact

162. The site, as operating at present generates six permanent full time jobs. It should be noted however that the site is presently dormant and only operating administrative functions in addition to the bagging plant. The proposal would result in 52 full time jobs being created at the site, which would be of benefit to the local economy, and should be afforded great weight in line with paragraph 211 of the NPPF.
163. No adverse socio-economic impacts have been identified as a consequence of the development. Indeed, it may be considered to secure development that improve the economic and social conditions in the County of Leicestershire in accordance with policy DM1.

Restoration, After-use, Long Term Management and Bio-diversity net gain

164. The application features an indicative restoration scheme for the site. The specific detail of this scheme including species type, distribution, finished land forms and levels would be agreed prior to the completion of quarrying operations at the site and secured through condition.
165. The indicative restoration scheme indicates much of the site to be restored to herb rich grassland interspersed with hedgerows. To the west of the site, the minerals processing area would be given over to scrub habitat with small open water ponds with reed beds and sand martin banks and small area of broad-leaved woodland.
166. A shelter belt of trees which presently exists to the west of the extraction area would be enhanced with additional broad leaved tree planting and areas of scrub habitat along the borders. To the north, the non-extraction area in closest proximity to Bosworth Hall would be planted to a park land style grassland with scattered trees. Gravel Pit Spinney to the centre of the site would be retained during extraction operations and extended to the south-west. There would be a further broad leaf woodland extension to the east to link Gravel Pit Spinney to the un-named copse and link into the River Welland Corridor. The corridor itself would have additional planting around it comprising seasonal damp grassland and carr (damp and shaded) woodland along the northern extent of the bank of the River Welland.
167. The landscaping scheme complies with the outcomes specified in site allocation SA3 insofar as it allows for the retention and enhancement of traditional hedgerows. The scheme protects the River Welland corridor and promotes additional wetlands where possible, as the corridor is very narrow with steep banks giving a typically very small flood plain. Gravel Pit Spinney is enhanced and woodland extended and leading down to the River Welland Corridor where tree species change to better suit the wetter environment.

Sustainability

168. The scheme does result in environmental impacts through the extraction and industrial operations on site in addition to HGV movements to and from the site. These impacts must be balanced against the economic need for the development and necessity to provide sand and gravel resources. Ultimately, the scheme will achieve a biodiversity net gain and will return the local landscape to a higher ecological standard than exists at present, and potentially prior to any development occurring at the site. Emissions from HGV movements will be temporary (albeit for an extended period) and dispersed so as not to be entirely concentrated on the site.

Other Material Considerations

169. Comments have been raised by the neighbouring gliding club and applicant concerning bird strikes and the encouragement of birds attracted to water features and potential interaction with gliders. However, no demonstrable evidence of any local or regionally recorded impacts between birds and gliders has been provided. The Civil Aviation Authority advises that aerodrome

safeguarding responsibility rests with the aerodrome licence holder and/or operator. East Midlands Airport (as the nearest location with a safeguarding area) has no objections to the scheme and Civil Aviation Authority defers to the aerodrome operator.

170. No other material considerations have been identified that warrant additional consideration.

Cumulative impacts

171. The Environmental Statement includes a Cumulative Impact Assessment which assesses the cumulative impacts of the proposed development and consideration has been given to the potential cumulative effects when combined with existing operations in the area. The assessment outlines the key impacts of the proposal which includes noise, dust, traffic, vibration and hydrological or flood risk impacts. The assessment investigates the potential for successive impacts, simultaneous impacts (of other major developments in the locality), in-combination effects and assessment of potential combined effects of the proposed development. Both negative and positive impacts were assessed for. Overall it was found that there would be no cumulative impacts from the proposed development, either that would arise from the scheme itself or from combination with other proposed and existing development within the area that would mean that the proposed development would as a result, be unacceptable.

Conclusion

172. The application, supported by an environmental impact assessment, seeks the extraction of 900,000 tonnes of sand and gravel, associated ancillary operations and restoration to agriculture. The site is a previously worked sand and gravel quarry and is allocated for extraction under the LMWLP allocation SA3.
173. The principal matters that have been addressed and considered in this assessment include compliance with the aforementioned site allocation requirements; the provision of sand and gravel and contribution to the County's overall supply; environmental and ecological impacts; impacts on the historic and landscape character of the area; amenity issues; and the impact on traffic on local villages and the highway network.
174. Officers have worked with the applicant to adjust the scheme to ensure a thorough assessment of the impacts. These have primarily included minimising the amount of imported material to the site, ensuring a net positive ecological impact and securing a high-quality restoration scheme.
175. The application has attracted noteworthy local interest, particularly with regard to HGV movements to and from the site and the resultant impact on the highway network and the general amenity of residents of nearby villages. Notwithstanding the concerns of local residents, the highway impacts remain difficult to resolve to the satisfaction of all local residents. The balance of vehicle movements to and from the site should almost exclusively be confined to the strategic highway network and distributed so as not to unreasonably impact local residents more than may ordinarily be expected from the functioning of a normal 'A' class road.

176. The proposed development is time limited to a period of eight years, plus restoration, and ultimately represents a temporary use of this land (albeit an extended temporary period). Following completion of operations at the site, the land should be restored to a mixture of parkland and agricultural land with net benefits to the local environment generally.

177. As such, the application is recommended for approval subject to conditions.

Statement of Positive and Proactive Engagement

178. In determining this application, the County Planning Authority has worked positively and proactively with the applicant. The proposals and the content of the Environmental Statement have been assessed against relevant Development Plan policies, the National Planning Policy Framework, including the accompanying technical guidance and European Regulations. The County Planning Authority has identified all material considerations; forwarded consultation responses received; considered valid representations received; liaised with consultees to resolve issues and progressed towards a timely determination of the application. Issues of concern have been raised with the applicant, such as ecological and heritage issues, and have been addressed through negotiation and acceptable amendments to the proposals requested through Regulation 25 submissions. The applicant has been given advance sight of the draft planning conditions. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

Recommendation

179. PERMIT subject to the conditions set out in Appendix A.

Officer to Contact

Nick Bowden

Email – planningcontrol@leics.gov.uk

Conditions

1. The development hereby permitted shall be deemed to have begun from the date of this decision notice.

Reason: For the avoidance of doubt as to the commencement of the development as a result of its partially retrospective nature.

2. Unless otherwise required pursuant to conditions of this permission, the development hereby permitted shall be carried out in accordance with the submitted application (as amended), documents and recommendations of reports, and the following plans:

- (a) H37 3 21 01 Location Plan dated March 2021
- (b) H37 3 21 02 Existing Features dated February 2021
- (c) H37 3 21 03 Working Scheme dated March 2021
- (d) H37 3 21 04 Indicative Restoration Scheme Rev E dated August 2022
- (e) H37 3 21 07 Concrete Batching Plant dated November 2021
- (f) H37 3 21 08 Bagging Plant Building Elevations dated November 2021
- (g) H37 3 21 09 Processing Plant dated November 2021
- (h) Environmental Statement dated March 2021 amended by addendum dated February 2022
- (i) Landscape and Visual Impact Assessment dated December 2020
- (j) Soils Resources and Agricultural Quality Assessment dated October 2020
- (k) Noise Assessment dated February 2021
- (l) Archaeological Desk Based Assessment dated November 2020 and trial trenching report dated August 2021
- (m) Geophysical Survey Report ref PC518b dated December 2020
- (n) Preliminary Ecological Appraisal Report dated January 2021
- (o) Flood Risk Assessment dated December 2020
- (p) Transport Statement dated March 2021, revised October 2021
- (q) Biodiversity enhancement plan dated October 2021
- (r) Protected Species Survey Report dated September 2021
- (s) Air quality assessment dated October 2021
- (t) Landscape Restoration Management Plan
- (u) H37 3 21 05 Indicative Vehicle Parking Arrangement dated May 2021
- (v) H37 3 21 06 Signage at Bridleway Crossing dated May 2021
- (w) 23027-02-2a Swept Path Analysis dated July 2021
- (x) 23027-02a Swept Path Analysis dated July 2021
- (y) WSI Mitigation Archaeology dated September 2022
- (z) Historic Environment Assessment Addendum dated June 2021

Reason: For the avoidance of doubt as to the development that is permitted.

3. Written notification of the commencement of:

- (a) The stripping of soils and overburden from the new extraction area;
- (b) The winning and working of minerals from the new extraction area;
- (c) The importation of inert waste;

shall be provided to the County Planning Authority within seven days from the date of such commencement.

Reason: To enable the development to be monitored to ensure compliance with this permission.

4. In the event that commencement of soil stripping and overburden does not commence, as notified under Condition 3a, within 12 months of the date of this permission, all plant, equipment, machinery, processing buildings and structures, mobile buildings, ancillary buildings, structures and other chattels connected with the bagging plant, concrete batching plant and minerals washing plant (as detailed on plans referenced Condition 2) shall be removed from the site.

Reason: To ensure that the associated industrial development has a close link with the extraction site, in line with Policy M13 of the LMWLP.

5. This permission shall be for a limited period expiring 8 years from the date of commencement as specified under Condition 3 (a). Within eight years and six months of the date specified under Condition 3 (a) of this permission, or within six months of the permanent cessation of quarrying activities, whichever occurs first, all plant, equipment, machinery, processing buildings and structures, mobile buildings, ancillary buildings, structures and other chattels connected with mineral extraction or processing operations shall be removed from the site.

Reason: To ensure a satisfactory and expedient restoration of the site in line with Policy DM12 of the LMWLP.

6. Except in emergency to maintain safe quarry working (which shall be notified to the County Planning Authority within 48 hours of such an occurrence) or unless otherwise agreed in writing by the County Planning Authority:

No operations (other than water pumping) shall be carried out at the site except between the following times:

(a) 07:00 hours and 18:00 hours Monday to Friday; and

(b) 07:00 hours and 14:00 hours Saturday.

(c) No operations (other than water pumping) shall be carried out on Sundays or any Public or Bank holidays.

Reason: To protect the amenities of the area and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

7. No floodlighting shall operate on the application site outside of the hours specified in condition 6.

Reason: To protect the amenities of the area and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

8. The development shall be carried out sequentially from Phase 1 to Phase 5 as shown on plan H37 3 21 03.

Reason: To protect the amenities of the area and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

9. A minimum stand off of 15 metres shall be maintained between extraction and the River Welland.

Reason: To ensure that appropriate measures are taken to protect features of importance to nature conservation, including protected species and their habitats, and reduce ecological impacts of the development and comply with policy DM1 of the Leicestershire Minerals and Waste Local Plan.

10. All overburden and topsoil materials shall be retained on site in accordance with plan H37 3 21 03. These shall be stored in mounds in the noted locations and to dimensions which have been identified on that plan.

Reason: To protect the amenities of the area and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

11. No imported material shall be deposited in those areas marked Restoration Area A or B on plan H37 3 21 03.

Reason: To protect the amenities of the area and comply with policy W8 and site allocation SA3 of the Leicestershire Minerals and Waste Local Plan.

12. All soils and soil making materials shall only be stripped, handled, stored and replaced in accordance with the submitted details and conditions attached to this permission having regard to section 5 of the Soil Resources and Agricultural Quality Report 1484/2 dated 26 October 2020.

Reason: In the interests of the satisfactory restoration of the site and comply with policy DM12 of the Leicestershire Minerals and Waste Local Plan.

13. No development shall commence on site until confirmation of details of the visibility splay from the existing access have been submitted to, and approved in writing, by the County Planning Authority. Thereafter, those visibility splays shall be maintained as per the approved details.

Reason: In the interest of highway safety and to comply with policy DM9 of the LMWLP.

14. There shall be no means of access to or from the application site for the purposes of exporting sand and gravel, and importation of material, except by means of the existing access haul road from the A5199 Welford Road at Husbands Bosworth quarry.

Reason: In the interests of highway safety and local amenity and comply with policy DM9 of the Leicestershire Minerals and Waste Local Plan.

15. No development shall commence on site until a Bridleway management plan has been submitted to and approved in writing by the County Planning Authority. Such a plan shall include details of any temporary diversion, fencing, surfacing and a timetable for provision, as may be applicable. Such details

should also include measures to be taken to ensure that users of the Bridleway are not exposed to any elements of danger associated with site works. The development shall be carried out in accordance with the agreed scheme and timetable.

Reason: To ensure the Public Right of Way is safe and available during the period of operation, in line with Policy DM10 of the LMWLP.

16. The Bridleway signage specified on plan H37 3 21 06 shall be installed prior to any event specified in Condition 3 of this permission occurring and thereafter maintained for the duration of this permission.

Reason: To ensure the Public Right of Way is safe and available during the period of operation, in line with Policy DM10 of the LMWLP.

17. No extraction shall take place/commence within the application area until the archaeological work (exploratory trial trenching and subsequent targeted excavation, retention and/or relocation of the Miles Master and Wellington Bomber Memorials), has been outlined within an Archaeological Mitigation Programme (AMP) and submitted to, and approved in writing by, the County Planning Authority. Such Written Scheme of Investigation shall give consideration to the extraction pit slope angles at these points.

Reason: In order to ensure the retention of this heritage asset on site, in line with Policy DM8 of the LMWLP.

18. For each stage of the archaeological programme detailed within the Archaeological Mitigation Programme, a Written Scheme of Investigation (WSI) will be prepared. For land included within the WSI, no extraction or development works shall take place other than in accordance with the agreed mitigation WSI. Each WSI will include the statement of significance and research objectives, and:

- (a) the programme and methodology of site works, including investigation and recording of archaeological remains, or recording, protection and/or provision for the relocation of the affected memorials, and;
- (b) will nominate a competent person(s) or organisation to undertake the agreed works;
- (c) the programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material.

Reason: To ensure satisfactory conservation and enhancement of the historic environment, including both memorials and the archaeological resource, in line with Policy DM8 of the LMWLP.

19. No more than 26,000 tonnes of material shall be imported to the site in any calendar year. Upon cessation of quarrying operations at the site, there shall be no imported material to the site other than 25,000 tonnes of topsoil necessary for restoration purposes.

Reason: In order to ensure that no material is imported to the site than is strictly necessary to undertake associated bagging operations and restoration, and to comply with policy M13 of the Leicestershire Minerals and Waste Local Plan.

20. Noise monitoring at the site shall be carried out in accordance with those details specified in section 6 of the Acoustic Report dated February 2021 by LFAcoustics.

Reason: To ensure that noise arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

21. Noise levels at noise sensitive properties and attributable to the operations subject to this permission shall not exceed the existing background noise level, L90, by more than 10 dB(A).

Noise levels may temporarily exceed these levels, subject to them not exceeding 70dB(A) LAeq 1h, when measured at any nearby noise sensitive property. Such operations may not exceed a period of eight weeks (56 days) in any calendar year and must be connected with essential site preparation and restoration work only.

Reason: To ensure that noise arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

22. All audible warning devices fitted to mobile plant, vehicles and fixed plant and machinery, whilst affording the required safety protection, shall be designed and operated so as to minimise disturbance to local residents.

Reason: To ensure that noise arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

23. All vehicles plant and machinery operated within the site shall be maintained in accordance with the manufacturers specification at all times and shall be fitted with and use effective silencers.

Reason: To ensure that noise arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

24. Any pumps that must be operated outside hours of operations specified in Condition 6 above shall be operated and sited so as to minimise impact on residents from noise.

Reason: To ensure that noise arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

25. All operations shall be carried out in a manner that minimises the emission of dust from the site. Internal haul roads and dry exposed material shall be watered as necessary in dry and windy conditions to prevent dust becoming airborne.

Reason: To ensure that dust arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

26. At such times as operations on site give rise to unacceptable levels of dust leaving the site, such as during adverse weather conditions due to strong winds combined with dry weather, such operations shall be temporarily suspended until they can be resumed without causing nuisance, either by change in working, weather conditions or by taking other additional measures.

Reason: To ensure that dust arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

27. All vehicles carrying actual, or potentially, fugitive material shall be secured and sheeted when entering or leaving the site.

Reason: To ensure that dust arising from the site does not become a source of nuisance to local residents and comply with policy DM2 of the Leicestershire Minerals and Waste Local Plan.

28. Within 3 months of the date of this permission, details shall be submitted of the existing or planned wheel wash. The specified wheel wash shall be used by all HGVs (vehicles with a gross combination mass exceeding 3,500 kilograms) exiting the site such that fugitive material is not deposited on the public highway. The wheel wash shall be retained in good working order at all times.

Reason: In the interest of highway safety and amenity of the area.

29. No phase of the restoration approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to, and approved in writing by, the County Planning Authority. The scheme shall include the utilisation of holding sustainable drainage techniques with the incorporation of sufficient treatment trains to maintain or improve the existing water quality; the limitation of surface water run-off to equivalent greenfield rates; the ability to accommodate surface water run-off on-site up to the critical 1 in 100 year return period event plus an appropriate allowance for climate change, based upon the submission of drainage calculations. Full details for the drainage proposal should be supplied including, but not limited to; construction details, cross sections, long sections, headwall details, pipe protection details (e.g. trash screens), and full modelled scenarios for the 1 in 1 year, 1 in 30 year and 1 in 100 year plus climate change storm events.

Reason: To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site, in line with Policy DM2 of the LMWLP.

30. No phase of the restoration approved by this planning permission shall take place until details in relation to the management of surface water on site restoration has been submitted to, and approved in writing by, the County Planning Authority. Details should demonstrate how surface water will be managed on site to prevent an increase in flood risk during the various restoration stages. This shall include temporary attenuation, additional

treatment, controls, maintenance and protection. Details regarding the protection of any proposed infiltration areas should also be provided.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems through the entire restoration construction phase, in line with Policy DM2 of the LMWLP.

31. Prior to completion of the restoration approved by this planning permission, details in relation to the long-term maintenance of the surface water drainage system within the site are to be submitted to and approved in writing by the Local Planning Authority. Details of the surface water Maintenance Plan should include for routine maintenance, remedial actions and monitoring of the separate elements of the surface water drainage system and should also include procedures that must be implemented in the event of pollution incidents within the development site.

Reason: To establish a suitable maintenance regime that may be monitored over time; that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development, in line with Policy DM2 of the LMWLP.

32. No development identified in Condition 3 a-c shall take place (including ground works or vegetation clearance) until a Construction Environment Management Plan for biodiversity (CEMP: Biodiversity) has been submitted to and approved in writing by the County Planning Authority.

The CEMP shall include the following details:

- (a) Identification of potentially damaging construction activities
- (b) identification of biodiversity protection zones
- (c) practical measures and sensitive working practices to avoid or reduce impacts during construction
- (d) timing of works to avoid harm to nesting birds
- (e) responsible persons for overseeing sensitive works
- (f) use of protective fencing where required

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the County Planning Authority.

Reason: In the interest of ecology and biodiversity.

33. No development shall take place (including ground works or vegetation clearance) until a Biodiversity Net Gain Plan (the Plan) has been submitted to and approved in writing by the County Planning Authority. The Plan shall be based on the Biodiversity Net Gain metric dated (29 August 2022) and shall provide a minimum of 10% net gain on the reported baseline habitat loss. The Plan shall include the following details:

- (a) Location plan of the areas to be used for Biodiversity Net Gain;
- (b) Description of existing habitats on site;

- (c) Description of planned habitat creation/enhancement, including species to be planted/sown;
- (d) Timetable for implementation of habitat creation/enhancement;
- (e) Habitat management and monitoring plan including timetable for management routines and reviews, and strategy for any remedial measures, if and when required;
- (f) Mechanism for securing the implementation of the biodiversity off-setting and its maintenance/management for a period of 30 years in accordance with details approved in the Plan.

The Plan shall be supported by up to-date Biodiversity Net Gain metric calculations for both the application site and the site for off-setting using the latest DEFRA version of the metric. The Plan shall be implemented in accordance with the approved details.

Reason: In the interest of ecology and biodiversity.

34. Within seven years of the date specified under condition 3 (a) of this permission, or one year prior to the planned cessation of mineral workings, whichever occurs first:

A detailed restoration scheme shall be submitted to the County Planning Authority for its approval in writing. Such scheme shall be based upon the details specified on plan H37 321 04 Rev E. The scheme shall thereafter be implemented in accordance with the approved details and having regard to details submitted pursuant to conditions 32 and 33.

The submitted scheme shall include details of:

- (a) The planting and maintenance of trees, shrubs and hedgerows including the location, species size, number and spacing;
- (b) The location and type of fencing and gates;
- (c) Time-scales for implementing and completing the above works;
- (d) woodland to link Gravel Pit Spinney to existing woodland adjacent to the River Welland;
- (e) inclusion of tree shelter belt with regard to setting of Bosworth Hall and St Mary's Church.

Reason: To enable the County Planning Authority to control the development and to ensure that the land is restored to a condition capable of beneficial after-use and to comply with policy DM12 of the LMWLP.

35. Notwithstanding the requirements of Conditions 32, 33 and 34 above; in the event of:

- (a) the non-commencement of operations as set out in Condition 3 within three years; or
- (b) cessation of winning and working of minerals prior to the achievement of the completion of the approved scheme of reclamation as defined in this schedule of conditions, and
- (c) which in the opinion of the County Planning Authority constitutes a permanent cessation within the terms of paragraph 3 of Schedule 9 of the Town and Country Planning Act 1990;

a revised scheme, to include details of reclamation and aftercare, shall be submitted in writing for the approval of the County Planning Authority within three months of the cessation of winning and working of minerals, or non-commencement. The approved revised scheme shall be implemented fully within 12 months of the written approval and otherwise in accordance with the terms and conditions of this decision notice.

Reason: To enable the County Planning Authority to control the development and to ensure that the land is restored to a condition capable of beneficial after-use and to comply with policy DM12 of the LMWLP.

Notes to the Applicant

1. The applicant is reminded that certain conditions of this permission specify notification to the County Planning Authority of commencement of some operations or activities. Non-compliance with these conditions may render the entire development unauthorised and liable to enforcement action by the Planning Authority.
2. When determining planning applications, the local planning authority should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where informed by a site specific Flood Risk Assessment (FRA) confirming it will not put the users of the development at risk. Where an FRA is applicable this should be undertaken in accordance with the requirements of the National Planning Policy Framework and accompanying Planning Practice Guidance.
3. Where there are any works proposed as part of an application which are likely to affect flows in an ordinary watercourse or ditch, the applicant will require consent under Section 23 of the Land Drainage Act 1991. This is in addition to any planning permission that may be granted.

Guidance on this process and a sample application form can be found via the following website: <http://www.leicestershire.gov.uk/flood-risk-management>

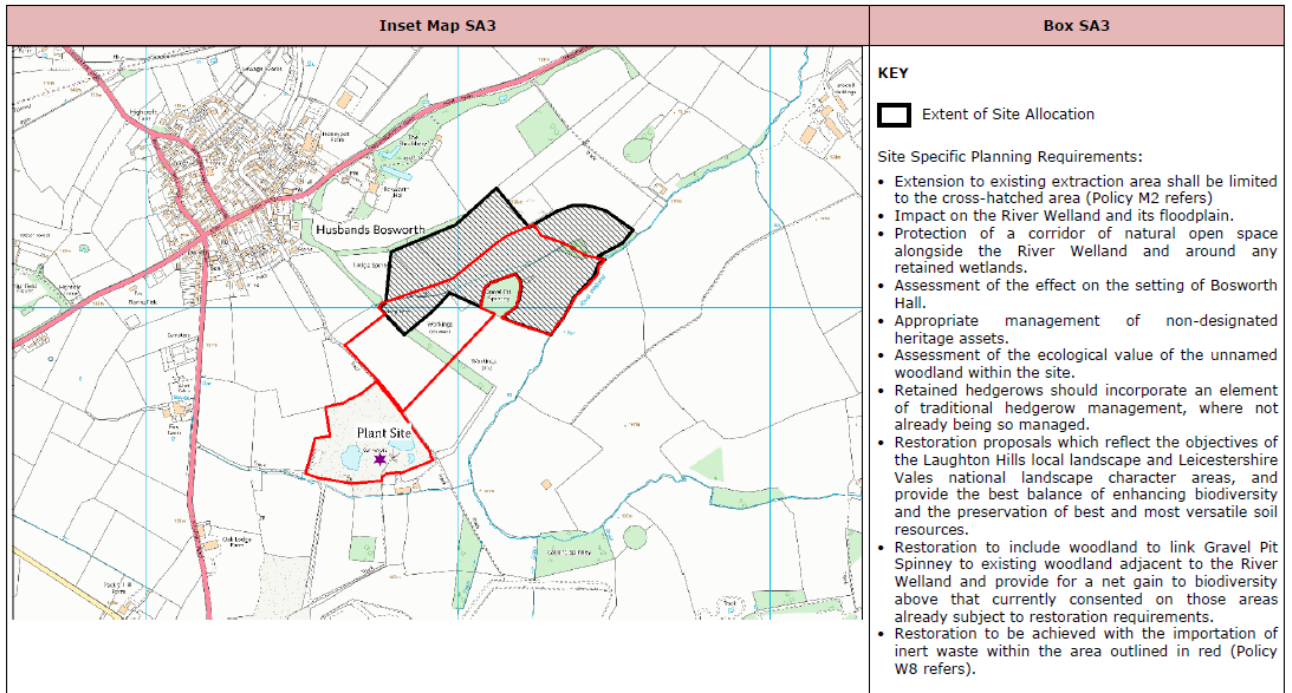
4. Applicants are advised to refer to Leicestershire County Council's culverting policy contained within the Local Flood Risk Management Strategy Appendix document, available at the above link. No development should take place within 5 metres of any watercourse or ditch without first contacting the County Council for advice.

Note that it is the responsibility of the Local Planning Authority under the DEFRA/DCLG legislation (April 2015) to ensure that a system to facilitate the future maintenance of SuDS features can be managed and maintained in perpetuity before commencement of the works.

5. Overland flow routes as shown on the update map for surface water should be considered such that buildings are not placed directly at risk of surface water flooding. Such flow routes should be utilised for roads and green infrastructure
6. Where a drainage ditch adjoins or flows through a development, provision should be made such that the ditch can be maintained throughout the life of the development. The ownership and responsibility for maintenance of the ditch should also be clearly identified and conveyed to the relevant parties.
7. The infilling and restoration operation will require an Environmental Permit from the Environment Agency before infilling commences. Strict waste acceptance procedures must be in place for the import of inert material.
8. The concrete batching plant should have sufficient pollution prevention controls in place for emissions to air and water. The applicant is advised to discuss the concrete batching permit application with Harborough District Council Environmental Health teams.

APPENDIX B

Husbands Bosworth



DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the preceding applications.

EQUALITY AND HUMAN RIGHTS IMPLICATIONS

Unless otherwise stated in the report there are no discernible equality and human rights implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Family Services and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equality Act 2010. You are advised to contact the Equalities function of the County Council's Policy and Partnerships Team if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPULSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

- Section 70(2) : determination of applications;
- Section 77(4) : called-in applications (applying s. 70);
- Section 79(4) : planning appeals (applying s. 70);
- Section 81(3) : provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
- Section 91(2) : power to vary period in statutory condition requiring development to be begun;
- Section 92(6) : power to vary applicable period for outline planning permission;
- Section 97(2) : revocation or modification of planning permission;
- Section 102(1) : discontinuance orders;
- Section 172(1) : enforcement notices;
- Section 177(2) : Secretary of State's power to grant planning permission on enforcement appeal;
- Section 226(2) : compulsory acquisition of land for planning purposes;
- Section 294(3) : special enforcement notices in relation to Crown land;
- Sched. 9 para (1) : minerals discontinuance orders.

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DEVELOPMENT CONTROL AND REGULATORY BOARD

12th JANUARY 2023 REPORT OF THE CHIEF EXECUTIVE

DELEGATED DECISIONS ISSUED 1st July 2022 – 31st December 2022

Application	Applicant and Location	Description	Delegated
2022/0678/07 (2022/VOCM/0040/LCC)	SUEZ Recycling and Recovery UK Ltd, Lount OWC, Nottingham Road, Lount, LE6 5RS	Variation of condition 2 and 23 of planning permission 2017/1126/07 to extend the life of the composting facility for an additional 5 years until 1st September 2029	Received: 21/04/2022 Resolution: 05/08/2022 Decision Date: 05/08/2022 Decision: Approved Total weeks For Determination: 15
2022/0749/06 (2022/Reg3PSI/0066/LCC)	Leicestershire County Council, John Ferneley College, Scalford Road, Melton Mowbray, Leicestershire, LE13 1LH	Provision of a 2 storey, teaching block including sprinkler tank housing, bicycle parking, car parking and re-siting of existing hard play area.	Received: 08/06/2022 Resolution: 16/08/2022 Decision Date: 16/08/2022 Decision: Approved Total weeks For Determination: 10
2022/0048/04 (2022/Reg3Mi/0030/LCC)	Leicestershire County Council, Westfield Junior School, Westfield Road, Hinckley, Leicestershire, LE10 0LT	Installation of multi-use games area pitch on playing field	Received: 12/04/2022 Resolution: 08/08/2022 Decision Date: 08/08/2022 Decision: Approved Total weeks For Determination: 17
2022/0516/04 (2022/CM/0064/LCC)	Forterra Building Products Ltd, Desford Brick Factory, Heath Lane, Bagworth, Nr Coalville, Leicestershire, LE67 1DL	Installation of roof mounted solar panels to buildings within the Desford Brick Factory.	Received: 16/05/2022 Resolution: 26/08/2022 Decision Date: 26/08/2022 Decision: Approved Total weeks For Determination: 15
2022/0631/06 (2022/CM/0038/LCC)	Severn Trent Water Ltd, Croxton Kerrial Sewage Treatment Works, Chapel Lane, Croxton Kerrial, NG32 1QR	Installation of 1 No. Algal Bioreactor (ABR) Plant MCC Kiosk and 1 No. ABR Plant Blower Kiosk	Received: 01/04/2022 Resolution: 01/07/2022 Decision Date: 01/07/2022 Decision: Approved Total weeks For Determination: 13

<p>2022/0107/04 (2022/CM/0008/LCC)</p>	<p>Severn Trent Water Ltd, Barlestone Sewage Treatment Works, Bosworth Road , Barlestone, CV13 0JL</p>	<p>Change of use of land to operational site for new site extension, to accommodate the installation of a new primary settlement tank (PST) desludge pumping station, PST, biofilter feed pumping station, Motor Control Centre (MCC) kiosk, biofilter, security fence, access road, landscaping and diversion of the existing public right of way.</p>	<p><u>Received:</u> 25/01/2022 <u>Resolution:</u> 12/07/2022 <u>Decision Date:</u> 12/07/2022 <u>Decision:</u> Approved <u>Total weeks</u> <u>For Determination:</u> 24</p>
<p>2022/1372/07 (2022/VOCM/0083/L CC)</p>	<p>Breedon Southern Limited, Pinnacle House, Breedon Quarry, Main Street, Breedon On The Hill, DE73 8AP</p>	<p>Variation of Condition 3 (Approved Documents), Condition 10 (Highways), Condition 16 & Condition 17 (Parking) Condition 24 (Landscaping) of Planning Permission 2020/0079/07 (2019/CM/0293/LCC)</p>	<p><u>Received:</u> 24/08/2022 <u>Resolution:</u> 21/12/2022 <u>Decision Date:</u> 21/12/2022 <u>Decision:</u> Approved <u>Total weeks</u> <u>For Determination:</u> 17</p>
<p>2022/1245/07 (2022/CM/0084/LCC)</p>	<p>Breedon Southern Limited, The Old School, Main Street, Breedon On The Hill</p>	<p>Single storey rear extension; external ramp and steps; replacement windows; internal alterations including mezzanine floor and removal of false ceilings</p>	<p><u>Received:</u> 26/07/2022 <u>Resolution:</u> 08/12/2022 <u>Decision Date:</u> 08/12/2022 <u>Decision:</u> Approved <u>Total weeks</u> <u>For Determination:</u> 19</p>

DEVELOPMENT CONTROL AND REGULATORY BOARD**12 JANUARY 2023****REPORT OF DIRECTOR OF ENVIRONMENT AND TRANSPORT****DELEGATED DECISIONS (number 36) FOR WORKS TO TREES PROTECTED BY LEICESTERSHIRE COUNTY COUNCIL TREE PRESERVATION ORDERS****1st July 2022 to 31st December 2022**

Application LCC Reference & District Reference Or Planning portal reference	Applicant and Location	Description	Delegated
2022/TPO/0063/LCC 22/00981/TPO	Beal 2 Main Street, Houghton on the Hill. LE7 9GD	T1&T2 Crown thin 2 Pines trees T3 Remove overhanging branches from Ash tree. T4 Remove branch back to main stem.	Date rec'd: 10/5/2022 Notice sent: 22/6/2022 <u>Determination: 5 weeks 6 days</u> <u>Decision: Approved</u>
2022/TPO/0068/LCC PP-11199624	Creedy 9 Newstead Avenue, Bushby. LE7 9QE	T1 Horse Chestnut. Remove shoot growth and thin upper branches.	Date rec'd: 27/5/2022 Notice sent: 11/7/2022 <u>Determination: 6 weeks 3 days</u> <u>Decision: Approved</u>
2022/TPO/0076/LCC 22/00823/TCA	Caunt 1 Trinity Close, Ashby de la Zouch. LE65 2GQ	T1&T2 Lime trees – clear telephone wires and remove deadwood. T3 Lime - Fell due to decline T4 Cherry – Fell due to decline	Date rec'd: 23/5/2022 Notice sent: 13/7/2022 <u>Determination: 7 weeks 2 days</u> <u>Decision: Approved</u>
2022/TPO/0077/LCC 22/0476/TPO	Gibson The Old House, Stamford Road, Kirby Muxloe. LE9 2ER	Removal of two self- set Sycamore trees.	Date rec'd: 23/5/2022 Notice sent: 13/7/2022 <u>Determination: 7 weeks 2 days</u> <u>Decision: Approved</u>
2022/TPO/0078/LCC	Ward 33 Barton	Removal of leaning Silver Birch on front	Date rec'd: 30/5/2022 Notice sent: 13/7/2022

22/0508/TPO	Road, Market Bosworth. CV13 0LQ	of property.	<u>Determination: 6 weeks 2 days</u> <u>Decision: Approved</u>
2022/TPO/0079/LCC 22/01115/TPO	Hitchins Tudor House, Hallaton Road. Horninghold LE16 8DU	T1 - Removal of leaning Pine tree. T2 - Crown reduce Ash tree	Date rec'd: 31/5/2022 Notice sent: 25/7/2022 <u>Determination: 7 weeks 6 days</u> <u>Decision: Approved</u>
2022/TPO/0080/LCC 21/0571/TPO	Pickering Cedar View, Bassett Lane, Sapcote. LE9 4FB	Crown lift Sycamore tree to 3 metres over public pathway	Date rec'd: 13/6/2022 Notice sent: 25/7/2022 <u>Determination: 6 weeks</u> <u>Decision: Approved</u>
2022/TPO/0081/LCC 22/01166/TPO	Nusrat 36 Hollies Way, Thurnby. LE7 9RJ	Oak tree. Crown thin by 15%. Raise lowest branches tips by 2/3 metres from properties. Clear sucker growth.	Date rec'd: 13/6/2022 Notice sent: 25/7/2022 <u>Determination: 6 weeks</u> <u>Decision: Approved</u>
2022/TPO/0082/LCC 22/1180/TPO	Wheeler-Bennett The Old Hall, Rectory Lane, Medbourne. LE16 8DZ	T1 Horse Chestnut fell due to decline.	Date rec'd: 16/6/2022 Notice sent: 1/8/2022 <u>Determination: 6 weeks 4 days</u> <u>Decision: Approved</u>
2022/TPO/0091/LCC 22/00583/LCC	Burdette-Hammonds 16 Blenheim Close, Burbage. LE10 1TT	Oak crown reduce by 30%	Date rec'd: 16/6/2022 Notice sent: 11/8/2022 <u>Determination: 6 weeks</u> <u>Decision: Approved</u>
2022/TPO/0092/LCC 22/00574/TPO	Fisher 17 Turnpike Way, Markfield LE67 9QT	Removal of 2 Ash trees due to causing subsidence issues with neighbouring property.	Date rec'd: 10/6/2022 Notice sent: 1/8/2022 <u>Determination: 7 weeks 3 days</u> <u>Decision: Approved</u>
2022/TPO/0095/LCC 22/0682/TPO	Wirtz The Old Vicarage, Enderby Rd, Whetstone. LE8 6JH	G1 - Sycamores - Cut back new growth by 1-2m. G2 - Mixed species - Cut back overhang from car park by 1-2m. Shrubs starting to encroach on car parking spaces. T1 - Elm - Remove deadwood from canopy. T2 - Acacia - Remove deadwood from canopy. T3 - Elm - Dead -	Date rec'd: 4/7/2022 Notice sent: 22/8/2022 <u>Determination: 6 weeks 3 days</u> <u>Decision: Approved</u>

		Fell as close to ground level as practically possible. T4 - Ash - Cut back trees by 1m so that light column is exposed.	
2022/TPO/0096/LCC 22/01280/TPO	Oliver 44 The Woodlands, Market Harborough. LE16 7 BW	T2 - Oak reduce by 1/3 and thin crown by 20% T3 - Hawthorne remove completely.	Date rec'd: 30/6/2022 Notice sent: 22/8/2022 <u>Determination: 7 weeks 4 days</u> <u>Decision: Approved</u>
2022/TPO/0097/LCC 22/01304/TPO	Pease Illstone Grange, Burton Overy Rd, Illstone on the Hill. LE7 9EA	T279 Ash - Remove deadwood greater than 50 mm in diameter. T280 Ash - Reduce first major limb northwest by 5-6m. Reduce lateral growth over the highway by 2-3m. T283 Ash - remove the tree. T284 Ash - crown reduce over the highway by 1-3 m. T292 Ash - Remove the tree. T293 Ash - Reduce lateral growth over the highway by 2-3 m. T294 Ash - Reduce the first significant limb (northwest) by 2-3 m. Remove deadwood over 50 mm in diameter over the highway.	Date rec'd: 12/7/2022 Notice sent: 30/8/2022 <u>Determination: 7 weeks</u> <u>Decision: Approved</u>
2022/TPO/0099/LCC 22/00607/TPO	Newey 8 Sycamore Way, Market Bosworth. CV13 0LU	T1 Beech – Remove lowest limb over neighbouring garden.	Date rec'd: 25/7/2022 Notice sent: 30/8/2022 <u>Determination: 5 weeks</u> <u>Decision: Approved</u>
2022/TPO/0101/LCC 22/0736/TPO	Hardingham Bouskell Park, Welford Rd, Blaby. LE8 4FT	Routine tree works	Date rec'd: 25/7/2022 Notice sent: 5/9/2022 <u>Determination: 6 weeks</u> <u>Decision: Approved</u>

2022/TPO/0102/LCC 22/1168/TCA	Fargher Land adjacent to Trinity church, Kilwardby St, Ashby de la Zouch.	To carry out works to various trees as recommended by LCC	Date rec'd: 25/7/2022 Notice sent: 5/9/2022 <u>Determination: 6 weeks</u> <u>Decision: Approved</u>
2022/TPO/0103/LCC 22/00687/TPO	Jones 60 Princess Rd, Hinckley. LE10 1EB	T1 – Removal of diseased ash tree.	Date rec'd: 25/7/2022 Notice sent: 30/8/2022 <u>Determination: 5 weeks 1 day</u> <u>Decision: Approved</u>
2022/TPO/0105/LCC 22/01373/TPO	Solomons Bridgeford House, Hallaton Rd, Horninghold. LE16 8DH	T1 Sycamore and T2 Poplar – remove overhanging branches.	Date rec'd: 28/7/2022 Notice sent: 12/9/2022 <u>Determination: 6 weeks 4 days</u> <u>Decision: Approved</u>
2022/TPO/0106/LCC 22/0746/TPO	Elton Pinegarh, Forest Drive, Kirby Muxloe. LE9 2EA	T1- Black Pine remove	Date rec'd: 1/8/2022 Notice sent: 12/9/2022 <u>Determination: 7 weeks</u> <u>Decision: Refused</u>
2022/TPO/0107/LCC 22/0803/TPO	Gibson The Old House, Stamford Rd, Kirby Muxloe. LE9 2ER	T1 -Ash remove T2- Ash remove T3 - Sycamore Work - Remove 2x lowest secondary leads back to primary to clear roof of garage and telephone wire.	Date rec'd: 8/8/2022 Notice sent: 29/9/2022 <u>Determination: 7 weeks 3 days</u> <u>Decision: Approved</u>
2022/TPO/0111/LCC 22/0840/TPO	Wirtz The Old Vicarage, Enderby Rd, Whetstone. LE8 6JH	T1 - Horse Chestnut Crown reduce back to previous pruning points. T2 - 3 small Elm Trees - Cut back to give 2 - 3m clearance from neighbouring property.	Date rec'd: 15/8/2022 Notice sent: 29/9/2022 <u>Determination: 6 weeks 3 days</u> <u>Decision: Approved</u>
2022/TPO/0120/LCC 22/01554/TPO	Lowe Yew Tree House, The Woodlands, Market Harborough. LE16 7BW	Ash tree with severe dieback to be removed.	Date rec'd: 5/9/2022 Notice sent: 13/10/2022 <u>Determination: 5 weeks 2 days</u> <u>Decision: Approved</u>

2022/TPO/0121/LCC 22/0904/TPO	Taylor Trobello, Stamford Rd, Kirby Muxloe. LE9 2ER	T1 Lime – crown reduce by 30% T2 Yew – Prune back overhang over driveway to give 5m clearance.	Date rec'd: 31/8/2022 Notice sent: 17/10/2022 <u>Determination: 6 weeks 5 days</u> <u>Decision: Approved</u>
2022/TPO/0123/LCC pp- 11341475	Holmes Orchard House, South Street, Scalford. LE14 4DY	T1 Pine - remove T5 Pine - remove	Date rec'd: 12/9/2022 Notice sent: 31/10/2022 <u>Determination: 7 weeks</u> <u>Decision: Refused</u>
2022/TPO/0124/LCC 22/01571/TPO	Sellers 3 The Woodlands, Market Harborough. LE16 7BW	T1 - Cypress, lift branches over driveway	Date rec'd: 8/9/2022 Notice sent: 13/10/2022 <u>Determination: 5 weeks</u> <u>Decision: Approved</u>
2022/TPO/0125/LCC No district ref	Short 10 Wyvern Cl, Burbage. LE10 2GG	T1 Oak- reduce crown by 2.5 meters	Date rec'd: 12/9/2022 Notice sent: 28/10/2022 <u>Determination: 6 weeks 4 days</u> <u>Decision: Approved</u>
2022/TPO/0126/LCC pp-11494257	Webber 176 Station Rd, Market Bosworth. CV13 0NP	T1 Oak – reduce crown by 30% to alleviate cyclical movement of the ground	Date rec'd: 12/9/2022 Notice sent: 28/10/2022 <u>Determination: 6 weeks 4 days</u> <u>Decision: Approved</u>
2022/TPO/0129/LCC 22/01576/TPO	Ranson 10 Madeline Cl, Great Bowden. LE16 7HX	Tree works to be carried out on behalf of Network Rail.	Date rec'd: 26/9/2022 Notice sent: 31/10/2022 <u>Determination: 5 weeks</u> <u>Decision: Approved</u>
2022/TPO/0130/LCC 22/01426/FUL	Kimberley 3 Brendon Way, Ashby de la Zouch. LE65 1EY	Lime – prune back to previous pruning points	Date rec'd: 26/9/2022 Notice sent: 31/10/2022 <u>Determination: 5 weeks</u> <u>Decision: Approved</u>
2022/TPO/0131/LCC 22/01681/TPO	Lambardo 23 The Woodlands, Market Harborough. LE16 7BW	T1 Lime - remove epicormic growth and deadwood	Date rec'd: 26/9/2022 Notice sent: 31/10/2022 <u>Determination: 5 weeks</u> <u>Decision: Approved</u>
2022/TPO/0132/LCC 22/0952/TPO	Stone The Cedars, Stamford Rd, Kirby Muxloe. LE9 2ER	T1 - Giant redwood. Reduce spread towards house by 1.2 meters and remove two lowest branches to clear BT line.	Date rec'd: 26/9/2022 Notice sent: 27/10/2022 <u>Determination: 4 weeks 3 days</u> <u>Decision: Approved</u>

<p>2022/TPO/0135/LCC PP - 11604179</p>	<p>Weaver The Spinney, Brambles Estate, Hugglescote. LE67 2GS</p>	<p>T1 Ash - Remove deadwood / crown lift to 5meters over road and path. T2 Ash - Fell T3 Ash - Crown reduce by 30% / remove deadwood T4 Ash - Crown lift to 3m over pathway T5 Ash - Remove deadwood T6 Ash - Remove deadwood T7 Ash - Crown lift to 5 meters over roadway T8 Ash - Monitor fungal growth / remove deadwood T9 Ash - Remove elongated branch on West side of tree towards No.4 The Spinney T10 Ash - Remove deadwood / Reduce main stem on South side of the tree by 4- 5 meters to a suitable growth point to reduce the weight.</p>	<p>Date rec'd: 11/10/2022 Notice sent: 17/11/2022 <u>Determination: 5 weeks 2 days</u> <u>Decision: Approved</u></p>
<p>2022/TPO/0136/LCC 22/01312/TPO</p>	<p>Houlton 20 School Lane, Lubham. LE16 9TW</p>	<p>T1 Ash- reduce overhanging branches.</p>	<p>Date rec'd: 13/10/2022 Notice sent: 4/11/2022 <u>Determination: 3 weeks 1 day</u> <u>Decision: Approved</u></p>
<p>2022/TPO/00140/LCC PP - 11532999</p>	<p>Adams 13 Manor Cl Burbage LE10 2NL</p>	<p>Beech- raise canopy to 5 meters</p>	<p>Date rec'd: 14/9/2022 Notice sent: 8/11/2022 <u>Determination: 7 weeks 4 days</u> <u>Decision: Approved</u></p>
<p>2022/TPO/0141/LCC PP - 11617884</p>	<p>Solomons Horninghold House, Hallaton Rd, Horninghold. LE16 8DH</p>	<p>T2&T3 Poplar, prune back to boundary.</p>	<p>Date rec'd: 19/10/2022 Notice sent: 5/12/2022 <u>Determination: 6 weeks 5 days</u> <u>Decision: Approved</u></p>