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PLANNING/DESIGN AND ACCESS STATEMENT



PROPOSED SMALL-SCALE SOIL BLENDING FACILITY

MANOR FARM, SHARNFORD RD, HINCKLEY LE10 3AW



J F POWNER AND SON

JUNE 2022

Planning/Design & Access Statement		
Soil Blending Facility	J F Powner & son	P006-02

Revision	Comments	Author	Date
1	Draft for client comments	CS	June 2022
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1 INTRODUCTION

1.1 Context

- 1.1.1 This retrospective Planning Application is submitted to Blaby District Council, on behalf of F J Powner & Son (“the Applicant”), seeking planning permission for a small-scale Soil Blending facility at Manor Farm, Sharnford Rd, Hinckley LE10 3AW.
- 1.1.2 The Applicant operates an on-farm green waste (open windrow) composting operation at Manor Farm. The finished product is PAS 100 compliant product. Independent certification against the end of waste criteria (including PAS 100 requirements) means that the material is no longer subject to waste regulatory controls and has achieved product status. The Applicant’s facility therefore contributes to the concept of the circular economy for the end of waste criteria for compost.
- 1.1.3 It is proposed to import topsoil to blend with the PAS 100 compost to produce a high quality product for use in construction works such as landscaping projects, sports facilities, turf dressing etc.
- 1.1.4 The submission includes the following information, documents and drawings:

Documents

- Planning Form/Certificates
- Planning/Design and Access Statement (this document);

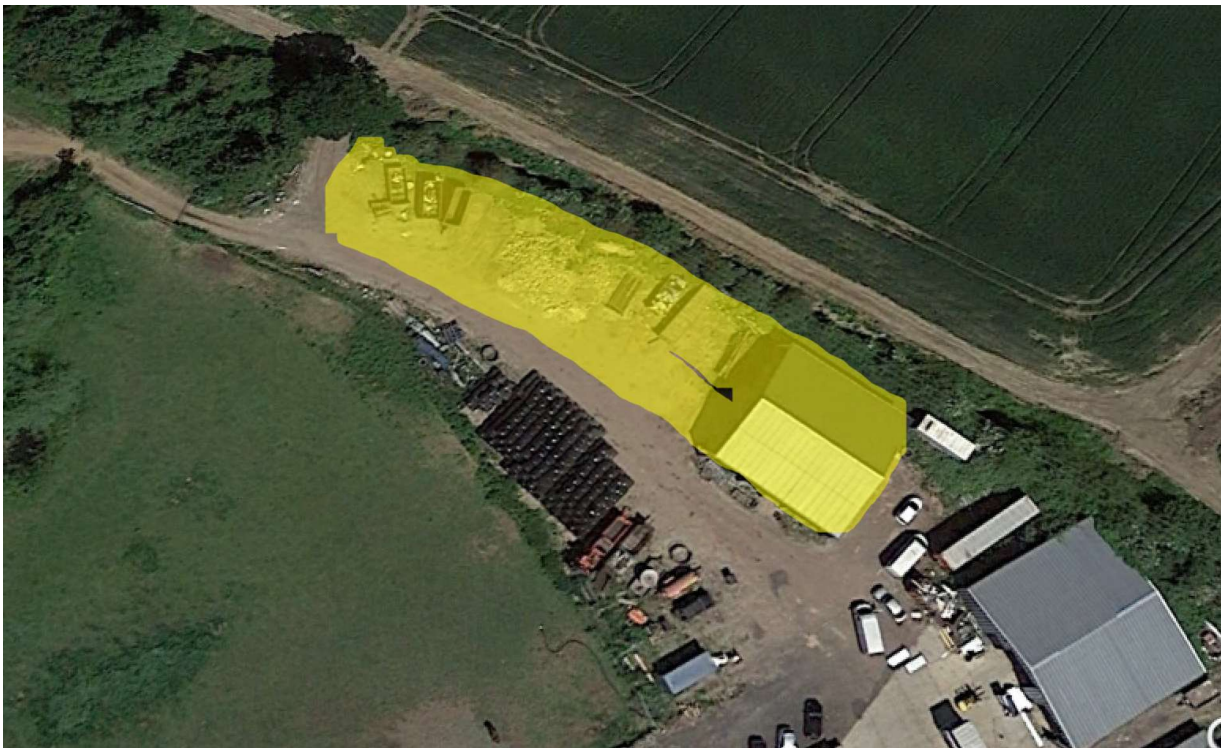
Drawings

- GPP/P/MFH/22/01 - Site Location Plan, and
- GPP/P/MFH/22/02 - Site Layout Plan.

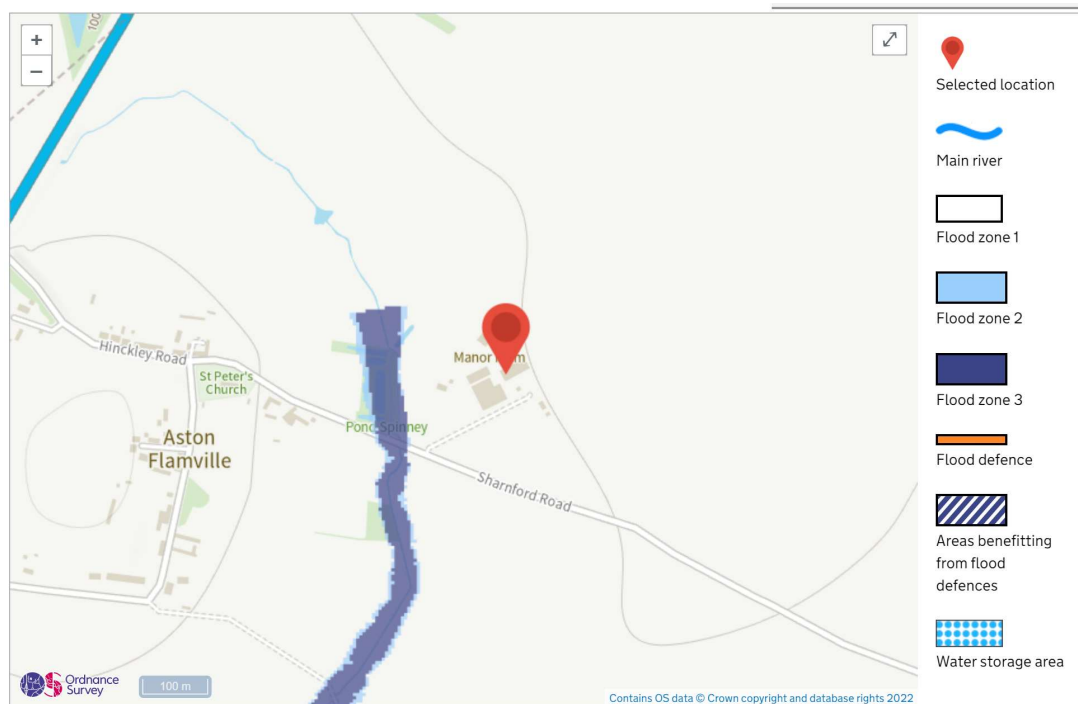
1.2 The Application Site and its Setting

- 1.2.1 The Application Site (referred to as “the Site” hereafter) is located approximately 270 metres to the north east of the nearest properties on Sharnford Road in the village of Aston Flamville. Access to the site is gained via a track from Sharnford Road to the south west.
- 1.2.2 The Application Site boundary is 0.37 hectares in size and is shown edged red on the enclosed Site Location Plan. Other land within the Applicant’s ownership is shown edged blue on this drawing.

- 1.2.3 A range of farm building screen the existing composting operational area from the highway and houses to the south and a bund has been built using stripped soils, which screens the operations along the western and northern boundaries. On the eastern side conifers and a hawthorn hedge screen the site from the bridleway and beyond. Over 3,000 trees and shrubs have been planted around the bunding of new site, which significantly improves the visual screening of the site.
- 1.2.4 The proposal will be located on an existing area of hardstanding as shown shaded yellow on the aerial imagery below. The proposal will utilise an existing for storing the blended product. There is a strip of existing mature hedgerow planting along the northern boundary of the site.



- 1.2.5 The Site is located in Flood Zone 1 which has the lowest risk of flooding (1 in 1000 years) as shown on the image below.



1.3 Planning History

Planning Permission 2002/0747/01

- 1.3.1 Planning permission was granted for the use of an area of the farmstead for composting and waste reception. This site composted approximately 5000 tonnes under an exemption from a Waste Management Licence, which limited operations to 1000 cubic metres (400 tonnes) at any one time.

Planning Permission 2008/0653/01

- 1.3.2 This permission relocated the composting and waste reception activities from the original location, to provide a larger composting area. An impermeable pad 50m wide by 115m long was constructed. The maximum tonnage is 20,000 tonnes per annum.

- 1.3.3 The original clay pad (50m x 100m) has been returned back to its condition by removing the clay and re-spreading the topsoil that was stored in the bund around the boundary; it is now incorporated in to the field and has returned to agricultural use.

Planning Permission 2010/0484/01

- 1.3.4 This permission was in relation to a variation of condition no.3 of planning permission 2008/0653/01 regarding hours of operation. At the Board meeting on 19th August 2010, it was resolved to permit the

extension of hours to 07.00 – 18.00 Monday to Friday but did not permit the deliveries to include Public Bank Holidays.

Planning Application 2011/0097/01 (2011/C425/01)

- 1.3.5 The application sought to gain permission to operate between 1000 and 1600 on Sundays and also between 1000 and 1600 on Public Bank Holidays. The planning application was refused at Leicestershire County Council Development Control and Regulatory Board meeting 21st April 2011. The Applicant unsuccessfully pursued a Planning Appeal against the refusal notice.

2 PROPOSED DEVELOPMENT

2.1 Introduction

- 2.1.1 This retrospective Planning Application is submitted to Blaby District Council, on behalf of J F Powner & Son (“the Applicant”), seeking planning permission for a small-scale Soil Blending facility at Manor Farm, Sharnford Rd, Hinckley LE10 3AW.
- 2.1.2 The Applicant operates a green waste (open windrow) composting operation at Manor Farm. The finished product is PAS 100 compliant product. Independent certification against the end of waste criteria (including PAS 100 requirements) means that the material is no longer subject to waste regulatory controls and has achieved product status. The Applicant’s facility therefore contributes to the concept of the circular economy as the base document for the end of waste criteria for compost.
- 2.1.3 It is proposed to import topsoil to blend with the PAS 100 compost to produce a product for use in construction works such as landscaping projects, sports facilities, turf dressing etc. From an Environment Agency point of view, the operations are controlled by a Permit Exemption.

2.2 Description of Development

- 2.2.1 The description of development is proposed to be as follows:

Operation of a Soil Blending Facility using PAS 100 compost product and imported topsoils.

2.3 Proposed Activities

- 2.3.1 The Applicant will import good quality topsoils from a single source which will ensure the imported material is clean and suitable for blending to produce a high-quality product. By adherence to appropriate production and control procedures, the output soil product meets the requisite chemical and physical properties, mineral and fertility status required to achieve the British Standard for topsoil (BS3882: 2015).
- 2.3.2 The blending of imported soil and PAS 100 compost will be undertaken on an existing hardstanding area as shown on the enclosed Site Layout Plan GPP/P/MFH/22/02. The soil and compost are blended by means of a small screen within the existing building.
- 2.3.3 The blending soil and compost mix the Applicant intends to produce is:
- 100% Topsoil,

- 80/20 Topsoil/Compost,
- 60/40 Topsoil/Compost.

2.3.4 The final product will be stored within an existing steel portal frame building located on the site as shown on the enclosed Site Layout Plan GPP/ GPP/P/MFH/22/02. The material will be loaded by a front loader into HGVs for delivery to the market.

2.4 Plant & Equipment

2.4.1 The Applicant will use a loading shovel and small screener. Blending the soils using the screener is undertaken approximately 3 hours a day or one full day a week depending on supply and demand in peak periods. Usually, the peak periods would be April-October.

2.5 Screening Operations

2.5.1 The proposal will involve the use of a small screener as shown on the photograph below. All screening operations will be undertaken with the existing building to minimise dust emission.



2.6 Traffic Numbers & Routeing

- 2.6.1 The Applicant intends to import topsoil to the proposed soil blending facility in 8-wheel rigids (HGVs). The same HGVs that import soil to the site will be loaded with the final blended product to minimise traffic numbers.
- 2.6.2 On a busy day, the Applicant anticipates there will be approximately 6-8 imported loads of soil for blending per day. On average across a month, however, there will approximately 2 delivered loads of soil/exported blended topsoil dressing per day. There will be no articulated lorries used in the soil blending operations.
- 2.6.3 The importation of soil will only take place every couple of months. The Applicant will import soils over a 2-week period to develop a stockpile, which would last 2 months before needing to import soils again. Therefore, with soil products going out it will only be 2-3 loads a day averaged over a month.
- 2.6.4 The Applicant proposes that all vehicles associated with the proposed soil blending facility enter the access track to the site by turning right in and left out from Sharnford Road only thereby avoiding any traffic through the village of Aston Flamville.

2.7 Hours of Operation

- 2.7.1 It is proposed that the deliveries of soil and soil/compost blending activities will take place between the following hours:
- 0800 hours and 1730 hours Monday to Friday
 - No working at all on Saturdays, Sundays, Public and Bank Holidays

3 PLANNING POLICY CONTEXT

3.1 Introduction

3.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of a planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.1.2 In this instance, the Development Plan consists of the following document(s):

- Blaby District Local Plan (Core Strategy) 2013
- Blaby District Local Plan (Delivery) DPD 2019

3.1.3 The main policies within each document considered relevant to the proposal are set out below.

3.2 The Development Plan

Blaby District Local Plan (Core Strategy) 2013

3.2.1 The Council adopted a Core Strategy in 2013. The Core Strategy forms the first part of the District's Local Plan and includes the vision, strategic objectives and core policies.

3.2.2 The following main policies of the adopted Core Strategy are relevant to the determination of this planning application:

- Policy CS18 – Countryside
- Policy CS19 - Bio-diversity and geo-diversity
- Policy CS21 - Climate Change
- Policy CS23 - Waste
- Policy CS24 - Presumption in favour of sustainable development

Blaby District Local Plan (Delivery) DPD 2019

3.2.3 The Local Plan Delivery Development Plan Document (known as the 'Delivery DPD') is the second part of the Local Plan. It includes site allocations for housing and employment uses and development management policies that apply across the District and will be used to assess planning applications. A Policies Map showing detailed boundaries of site allocations and designated sites, such as Green Wedges and Areas of Separation, has been prepared alongside the Delivery DPD.

3.2.4 The following main policies of the adopted Delivery DPD are relevant to the determination of this planning application:

- DM2 Development in the Countryside
- DM13 Land Contamination and Pollution
- DM12 Designated and Non-designated Heritage Assets

3.3 Other Relevant Documents

3.3.1 The National Planning Practice Guide (NPPG) confirms that the National Planning Policy Framework (NPPF) represents up-to-date government planning policy and must be taken into account where it is relevant to a planning application.

3.3.2 The following documents are therefore considered to represent a material consideration in the determination of this planning application.

- National Planning Policy Framework, July 2021;
- National Planning Practice Guidance;
- Circular Economy Package Policy Statement July 2020
- National Planning Policy for Waste (2014), and
- Waste Management Plan for England 2021

4 ASSESSMENT OF THE PROPOSAL

4.1 Introduction

4.1.1 From an assessment of the Development Plan and other relevant documents, the main issues in the assessment of the proposed development are as follows:

- Development in the Countryside,
- Circular Economy & Sustainable Waste Management, and
- Environmental and Amenity Considerations.

4.1.2 The following section considers the main planning issues in turn.

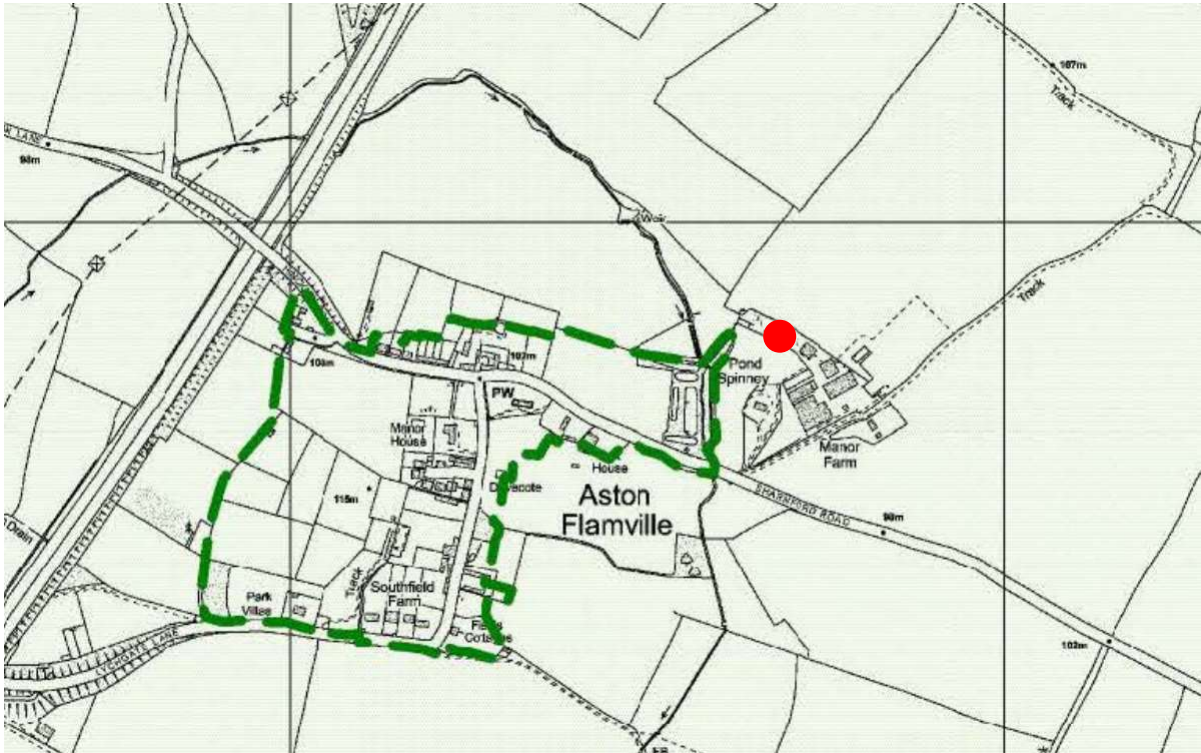
4.2 Development in the Countryside

4.2.1 Policy CS24 of the Core Strategy notes there is a presumption in favour of sustainable development. Policy CS18 of the Core Strategy deals with development in the countryside and states:

Within areas designated as Countryside, planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape. Planning permission will, however, be granted for limited small-scale employment and leisure development (including dwellings essential for these needs) subject to consideration of its impacts.

The need to retain Countryside will be balanced against the need to provide new development (including housing) in the most sustainable locations. The detailed boundaries of Countryside will be determined through the Allocations, Designations and Development Management DPD.

4.2.2 The Application Site (identified by a red dot) is located on land designated as 'countryside' in the Blaby District Local Plan (Delivery DPD) as shown on the proposals map extract below.



4.2.3 Policy DM2 (Development in the Countryside) of the Delivery DPD states that

“In areas designated as Countryside on the Policies Map, development proposals consistent with Core Strategy Policy CS18 will be supported where the following criteria are met:

a) The development is in keeping with the appearance and character of the existing landscape, development form and buildings. Decisions in respect of impact on landscape character and appearance will be informed by the Blaby Landscape and Settlement Character Assessment, Leicestershire and Rutland Historic Landscape Characterisation Study, National Character Areas and any subsequent pieces of evidence; and,

b) The development provides a satisfactory relationship with nearby uses that would not be significantly detrimental to the amenities enjoyed by the existing or new occupiers, including but not limited to, consideration of: i. overdevelopment of the site due to factors including footprint, scale and mass; ii. privacy, light, noise, disturbance and overbearing effect; and, iii. vibration, emissions, hours of working, vehicular activity.

c) The development will not undermine the vitality and viability of existing town, district and local centres”

4.2.4 The thrust of policies CS18 and DM2 in controlling development in the countryside require development proposals to be in keeping with the appearance and character of the existing landscape, development form and buildings. In this case, the proposal will utilise an area of the farmyard that is used for storage

of materials, plant and equipment associated with the farmyards operations. The proposal does not involve any new buildings and will be akin to an agricultural operation and will be in-keeping the adjacent farmyard complex. It will not impact upon any greenfield land. The proposal will therefore have no adverse impacts upon the landscape character of the area.

4.2.5 Policy CS18 of the Core Strategy allows small-scale employment development provided that the associated impacts are acceptable. The Applicant's proposal demonstrates compliance with Policy CS18 by being small-scale and not having any unacceptably adverse impacts.

4.2.6 Paragraph 84 of the NPPF provides advice on 'supporting a prosperous rural economy'. It states that planning decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*

4.2.7 The proposal will enable the Applicant to diversify its existing rural based business and provide a sustainable outlet for the compost product bringing about economic and employment benefits to the farm. The proposal will generate 1 full time local job opportunity. The economic and employment benefits of the proposed development are matters to which significant weight should be attached in the planning balance. The proposed development will therefore comply with the aspirations of the NPPF and the Core Strategy by supporting economic growth and the development of businesses in rural areas.

4.2.8 Having regard to the above assessment, the proposal will comply with the thrust of Core Strategy and the Delivery DPD by allowing small-scale rural diversification development in the countryside that is in-keeping with its local environment and avoiding unacceptable impacts upon landscape character and local amenity.

4.3 Circular Economy & Sustainable Waste Management

4.3.1 The National Planning Policy for Waste (England) sets out the Government's ambition to work towards a more sustainable and efficient approach to resource use and management. Positive planning plays a pivotal role in delivering this country's waste ambitions through:

- delivery of sustainable development and resource efficiency, including provision of modern infrastructure, local employment opportunities and wider climate change benefits, by driving waste management up the waste hierarchy...*

4.3.2 In addition, the Government has produced a Circular Economy Package Policy Statement on 30th July 2020 stating that:

The UK is committed to moving towards a more circular economy which will see us keeping resources in use as long as possible, extracting maximum value from them, minimizing waste and promoting resource efficiency.

4.3.3 The Applicant's composting operation for a sustainable facility for recycling kerb side collected green waste materials, mainly from local authority contracts. The PAS 100 compliant product produced from the green waste composting operations will provide a suitable material within which to blend with good quality topsoil's. The use of the green waste that has been turned into a product in the soil blending operations will comply with the Government's aspiration of maximising value from waste, using it as a resource and contributing towards a circular economy.

4.3.4 In overall terms, the Applicant's proposal is a sustainable form of development and complies with the Government's policy aspirations of moving waste up the hierarchy. The proposal will therefore comply with Policy CS24 of the Core Strategy where there is a presumption in favour of sustainable development.

4.4 Environmental & Local Amenity Issues

4.4.1 The main environmental and local amenity related issues are addressed below. These are considered to be:

- Access & Traffic
- Dust
- Noise
- Landscape/Visual Impacts
- Ecology

4.5 Access & Traffic

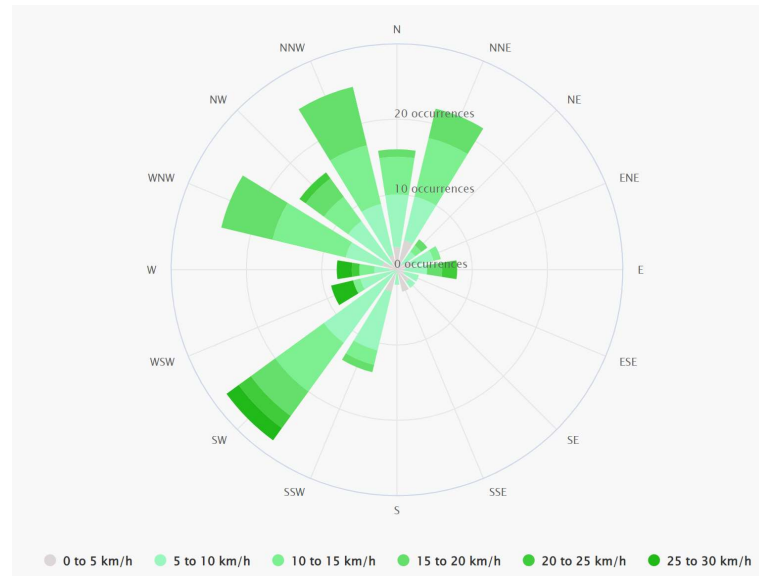
4.5.1 Policy CS18 (Countryside) of the Core Strategy supports small-scale development in the countryside subject to the impacts being acceptable. Paragraph 111 of the NPPF states:

"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."

- 4.5.2 The proposal will use the existing access from Sharnford Road, which is suitable for the tipper lorries (8-wheel rigs) that will import topsoil and export the blended product to market. Wherever practicable, the same HGVs that import soil to the site will be loaded with the final blended product to minimise traffic numbers.
- 4.5.3 The Applicant anticipates that the facility will be at its busiest between April and October. On a busy day there will be approximately 6-8 imported loads of topsoil imported. Some days there will be no traffic associated with the soil blending facility. On average across a month there will be approximately 2-3 delivered loads of soil/exported blended topsoil dressing per day. There will be no articulated lorries used in the soil blending operations.
- 4.5.4 There is no history of personal injury accidents occurring within the past 5 years within the vicinity of the site access.
- 4.5.5 The Applicant proposes that all vehicles associated with the proposed soil blending facility enter the access track to the site by turning right in and left out from Sharnford road only thereby avoiding any traffic through the village of Aston Flamville.
- 4.5.6 In overall terms, the proposed levels of traffic are small and will not lead to a negative impact on the capacity or safety of the local road network. The proposal will not therefore conflict with paragraph 111 of the NPPF or Policy CS18 (Countryside) of the Core Strategy.

4.6 Dust

- 4.6.1 The proposed soil blending / screening operation will not take place outside of the product storage building thereby minimising the potential for windblown dust. The weather rose below for Leicester shows that the wind is predominantly from the south west which is away from the nearest properties of Aston Flamville.



4.6.2 The Applicant will adopt the following management methods to ensure that dust does not become a source of nuisance in the locality:

- Daily visual inspections of the site will be carried out by the Site Manager, at the start of operations and throughout the day. There will be a particular focus during dry windy weather to ensure that all potential or actual dust sources are identified and treated promptly with the application of water.
- As an over-riding requirement, if any operations are identified as causing or likely to cause visible dust emissions across the boundary of the application site, those operations will be modified, reduced or suspended until effective remedial action can be taken or the conditions giving rise to the emissions have been moderated.
- Loading and tipping heights will be minimised. Wherever possible, loading and tipping operations will take place in sheltered locations such as in the lee of existing mounds and stockpiles.
- Should visible dust be blown from any storage mounds the relevant surfaces will be treated with water.
- Standard good practice for site haulage will include:
 1. Regular grading and compaction to maintain smooth well-drained surfaces;
 2. Setting a speed limit of 10mph;
 3. Sheeting of lorries, and
 4. Evenly loading vehicles to avoid spillages.
- All existing staff will be trained in this procedure. All new staff will be trained within 2 months from commencing employment.

4.6.3 On the basis of the above mitigation and management methods, the proposal is capable of being controlled by planning conditions to ensure that dust does not become a source of nuisance in the locality.

4.7 Noise

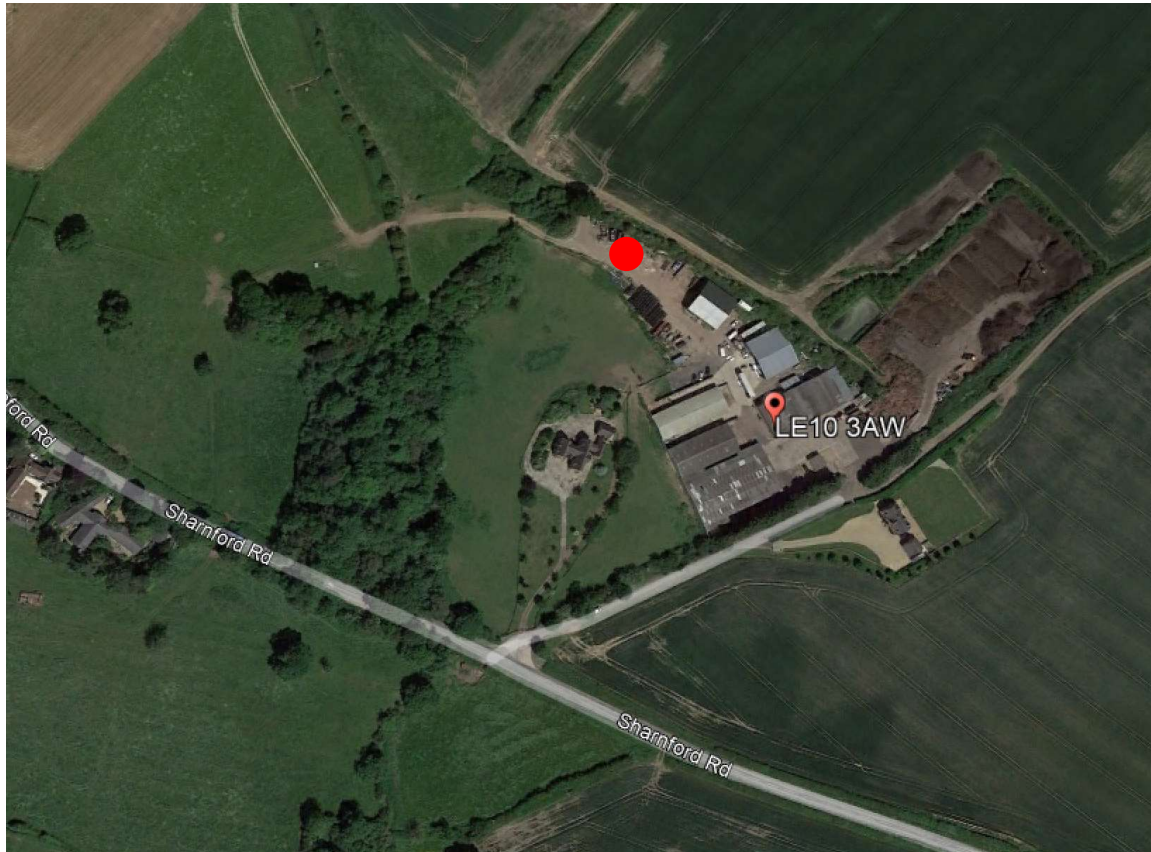
- 4.7.1 The proposal is small scale and is in excess of 270 metres from the nearest residential receptor on Sharnford Road to the south west. The only plant and equipment used in the soil blending operations will be a front-loading shovel and a small screen. These items of plant will be typically used on the farm. The infrequent use of the screening operations will ensure that there are no adverse noise impacts upon residential amenity.

4.8 Landscape & Visual Impacts

- 4.8.1 CS18 of the Core Strategy deals with development in the countryside provides planning permission will not be granted for built development, or other development which would have a significantly adverse effect on the appearance or character of the landscape.
- 4.8.2 The site falls with the Aston Flamville (Wooded Farmland) Landscape Character Area (LCA). The Blaby Landscape and Settlement Character Assessment Report summarises the LCA as:

“This LCA has a distinct rural character. The two settlements within it, Aston Flamville and Wigston Parva, are relatively small and both are designated Conservation Areas. Neither have been significantly influenced by recent development. The relative abundance of woodland within the LCA provide a well-wooded character, with trees and woodland featuring prominently in skylines. The management of hedgerows varies throughout the LCA, with some lengths becoming scrubby through lack of management. Traffic noise and movement from the M69 has a discernible impact on tranquillity where these routes cross the landscape.”

- 4.8.3 In this case, the proposal is small in scale and does not involve any new buildings or structures. The proposal will be sited on existing brownfield land used historically as part of the farming operations as shown on the aerial image below with a red dot. The proposal is akin to an agricultural operation and will not have an adverse impact upon landscape character.



- 4.8.4 The google earth image also shows the existing mature woodland to the south west of the site which will minimise views of the site from properties in Aston Flamville. No unacceptable visual amenity impacts will therefore arise.
- 4.8.5 The proposal will not therefore conflict with the requirements of CS18 of the Core Strategy in terms giving rise to unacceptable landscape character and visual amenity impacts.

4.9 Ecology

- 4.9.1 Policy CS19 of the Core Strategy deals with biodiversity and geo-diversity. The policy seeks to protect and enhance habitats, protected species and features of nature conservation interest. the natural environment. In terms of biodiversity, Policy CS19 requires:

When considering development proposals of an appropriate type and scale, the Council will seek to ensure that opportunities to build in biodiversity or geological features are included as part of the design.

- 4.9.2 Similar policy aspirations are set out at chapter 15 of the NPPF.

4.9.3 The site is an operational part of the farm and has limited ecological value. The proposal will not therefore adversely impact upon features of nature conservation interest. To achieve biodiversity net gain, the Applicant proposes to install the following bat and bird boxes in suitable areas of retained trees.

- Schwegler1FF bat box - Placed in suitable areas of retained trees.
- Schwegler1FW bat box - Placed in suitable areas of retained trees.
- Schwegler1B nest boxes – Placed in suitable areas of retained trees

4.9.4 The proposal will therefore achieve biodiversity net gain in accordance with the planning policy requirements of the Local Plan and the NPPF.

4.9.5 The overall impact upon ecology will be low and it is unlikely that important issues relating to ecological impact will be a constraint to development. The proposed bat and bird boxes will ensure that the proposal delivers a biodiversity net gain. It is therefore concluded that the proposal complies with Policy CS19 of the Core Strategy and chapter 15 of the NPPF.

5 CONCLUSION

5.1 The Planning Balance

- 5.1.1 An assessment of the proposal against the Development Plan and other relevant planning policy documents concludes that the principle of the application site is considered compliant with the requirements of policies CS18 (Core Strategy) and Policy DM2 (Delivery DPD) by allowing small-scale development on the basis there will be no unacceptably adverse impacts.
- 5.1.2 The proposal does not involve any new buildings, it will be akin to an agricultural operation and will be in-keeping the adjacent farmyard complex. It will not impact upon any greenfield land. The proposal will therefore have no adverse impacts upon the landscape character of the area or give rise to adverse visual impacts.
- 5.1.3 The proposal will enable the Applicant to diversify its existing rural based business and provide a sustainable outlet for the compost product bringing about economic benefits to the farm and 1 full-time local employment opportunity. The economic and employment benefits of the proposed development are matters to which significant weight should be attached in the planning balance.
- 5.1.4 An assessment of the potential environmental and local amenity impacts of the proposal concludes that, with inclusion of appropriate mitigation measures that can be imposed by planning condition on the basis that planning permission is granted, there will be no unacceptable effects (individually or cumulatively).
- 5.1.5 In conclusion, it has been demonstrated that the proposal is compliant with both local and national planning policies and that there will be no detrimental impact on the local environment. In light of the above, it is concluded that there are no known reasons why this planning application should not be considered favourably by the Local Planning Authority.

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