
A5. ECOLOGICAL REVIEW

Magna Park Lutterworth South - Phase 5 Ecological Review edp8804_r001b

QA: NDo/PNe_FMi/MWI_140425

1 INTRODUCTION

- 1.1 This Ecological Review has been prepared by The Environmental Dimension Partnership Ltd (EDP) on behalf of GLP (hereafter referred to as 'the Applicant'). This review considers the ecological implications of proposed commercial development of land at Magna Park Lutterworth South – Phase 5 (hereafter referred to as 'the Site'), for the purposes of promotion within the new Harborough Local Plan 2020-2041.
- 1.2 This Ecological Review provides a preliminary assessment of habitats within the Site and their potential to support protected species, which is necessary to inform potential constraints and opportunities for the development of these areas.
- 1.3 This Ecological Review aims to ascertain an overview of the likely ecological constraints within the Site and sets out recommendations for any further surveys that are required to confirm presence or likely absence of protected/notable species, in accordance with good practice guidelines.

Site Context

- 1.4 The Site centres approximately on Ordnance Survey Grid Reference SP 51353 83814; it is approximately 1.3km west of the town of Lutterworth and located within the Local Planning Authority (LPA) of Harborough District Council. The Site is situated near to the southern edge of Magna Park logistics and distribution centre, with existing commercial units located to the north and south and the A5 highway delineating the western Site boundary. More widely, the Site is situated on an urban edge, with open arable land to the south and west. The extent of the Site and indicative site layout is illustrated at Appendix EDP 1.

2 BASELINE SURVEY METHODS

Desk Study

- 2.1 The desk study is an important element of the initial baseline data gathering, which entails the initial collation and review of contextual information, such as designated sites, together with known records of important habitats or species.

2.2 The desk study was undertaken during April 2025 and involved collating biodiversity information from the Multi-Agency Geographic Information for the Countryside (MAGIC) website¹ and the National Biodiversity Network (NBN) Atlas website².

2.3 The desk study involved obtaining the following information:

- International statutory designations (10km radius around Site);
- National statutory designations and non-statutory local sites (5km radius);
- All protected species, Priority Species and other notable species records³ (2km radius); and
- All Irreplaceable Habitat or Priority Habitat⁴ records (500m radius).

Habitat Survey

2.4 The main habitats within the Site, together with their dominant/characteristic plant species, were identified by undertaking a baseline habitat survey on 15 July 2025. This survey was undertaken following the guidance for habitat surveys as set out in *The Statutory Biodiversity Metric User Guide*⁵, for which the habitat definitions primarily rely on descriptions set out in the *UK Habitat Classification*⁶ and habitat conditions as set out for the *Statutory Biodiversity Metric*⁷.

2.5 This method allows for an assessment of the main habitat types present on-site, including those listed as Priority Habitats or Irreplaceable Habitats. This survey was extended so that any evidence (actual or potential) for protected or notable species present on-site was recorded. Any evidence of Schedule 9 invasive non-native species⁸ was also recorded. Plant species lists and their abundance for each habitat type were recorded, but only where pertinent to identify the habitat type or condition. It was not the aim of the survey to collate a comprehensive botanical or species inventory of the Site.

River Condition Assessment

2.6 Given the presence of the Padge Hall Brook running along the southern boundary of the Site, a detailed River Condition Assessment of this watercourse was undertaken on 05 August 2024 to provide a robust assessment of its habitat type and condition. The

¹ www.magic.gov.uk.

² www.nbnatlas.org.

³ Certain species are listed as Priority Species (also termed Species of Principal Importance), the conservation of which public authorities in England must have due regard to as part of policy or decision making under Section 40 of the *Natural Environment and Rural Communities (NERC) Act 2006*. Other species of conservation note are also included here, where they are listed under other conservation lists (e.g., red data books).

⁴ Certain habitats are listed as Priority Habitats (also termed Habitats of Principal Importance), the conservation of which public authorities in England must have due regard to as part of policy or decision making under Section 40 of the *Natural Environment and Rural Communities (NERC) Act 2006*. Irreplaceable habitats are those listed under *The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024*.

⁵ DEFRA (February 2024). *Statutory Biodiversity Metric User Guide*.

⁶ UKHab Ltd (July 2023). *UK Habitat Classification Version 2.0* [<https://www.ukhab.org>].

⁷ DEFRA (February 2024). *Statutory Biodiversity Metric Technical Annex 1: Condition Assessments*.

⁸ Those listed on Schedule 9 of the *Wildlife and Countryside Act 1981* (as amended).

assessment required the implementation of the River Condition Assessment methodology⁹. The River Condition Assessment process required both a desk-based element and a specific fieldwork survey methodology following the Modular River Physical (MoRPh)¹⁰ survey.

- 2.7 The field-based element required five contiguous MoRPh module surveys. The MoRPh5 survey was undertaken by a qualified assessor able to undertake a River Condition Assessment and utilise the Cartographer software (certificate available on request).

3 RESULTS

Desk Study

- 3.1 No part of the Site is covered by any statutory designations; however, there are two National designations within 5km, namely Misterton Marshes Site of Special Scientific Interest (SSSI), located 3.2km to the east and Cave's Inn Pits SSSI, located 4.2km to the south.
- 3.2 There are many non-statutory designated sites in the local landscape around the Site; however, the most relevant of these is the Magna Park Hedgerow (H4/H5) Local Wildlife Site (LWS) located on the southern Site boundary and comprising a single c.510m length of mature hedgerow with trees and associated stream.

Habitats

- 3.3 The Site is subdivided into four main parcels of land, with grassland in the field parcel to the west and in the two parcels to the north. The central parcel of land has been used historically as a compound area for the Magna Park South development and as such comprises areas of tall forbs, bare ground, unsealed and unvegetated surface and sealed surface. A small area of Other Neutral Grassland is also present within the central parcel, namely grassland G2, a small section of moderate condition grassland adjacent to hedgerow H4 with a relatively species-diverse composition and not subject to management or grazing.
- 3.4 Of the more extensive areas of grassland, G1 in the west of the Site, is also classified as Other Neutral Grassland, having a more species-diverse composition and not subject to management or grazing, though due to its species-richness and characteristics this was assessed as being of only 'poor condition'. Grassland G3 comprises a narrow strip of modified grassland running along the edge of the northern access track. Whilst being closely mown it supported a comparatively higher species diversity and as such, was considered to be in 'good condition'. Grasslands G4 and G5 are both located in the north of the Site, also supporting a modified grassland sward, though both were unmanaged, with low species-diversity and as such did not meet the criteria to be considered as greater than 'poor condition'.

⁹ Gurnell, A. M., Scott, S. J., England, J., Gurnell, D., Jeffries, R., Shuker, L. and Wharton, G. (2020). *Assessing River Condition: A Multiscale Approach designed for Operational Application in the Context of Biodiversity Net Gain*. River Research and Applications, 36, 1559-1578.

¹⁰ Modular River Survey (online). Available at: <https://modularriversurvey.org/morph-rivers/>.

- 3.5 The fields are divided by hedgerows of varying species-richness and value as well as linear belts of scrub. Hedgerows are a Priority Habitat¹¹ and as such, are considered to be of Local-level importance. Vegetation along the southern Site boundary associated with the Magna Park Hedgerow (H4/H5) LWS was classified as a tree line (TL1) given its mature structure.
- 3.6 The Padge Hall Brook (WC1) flows west-to-east across the southern boundary of the Site, running through the centre of TL1 .
- 3.7 The distribution of habitats within the Site is illustrated on illustrated on Plan EDP 1. Table EDP 3.1 outlines the conditions of the habitats and hedgerows present, based on the assessment undertaken following *the Statutory Biodiversity Metric* criteria.

Table EDP 3.1: On-site Baseline Habitat Condition

Habitat	Condition	Reference/Description
Grassland – Other Neutral	Poor	G1, unmanaged, semi-improved neutral grassland, with 1.5m high sward.
Grassland – Other Neutral	Moderate	G2, unmanaged, semi-improved neutral grassland.
Grassland – Modified Grassland	Good	G3, improved grassland.
Grassland – Modified Grassland	Poor	G4 and G5, improved grassland.
Ruderal/ Ephemeral	Poor	Areas of sparsely vegetated land – short, patchy plant associations of ruderal or ephemeral species.
Tall Forbs	Good	Areas of sparsely vegetated land – stands of tall vegetation, such as rosebay willowherb (<i>Chamerion angustifolium</i>).
Blackthorn Scrub	Poor	Dense scrub with blackthorn (<i>Prunus spinosa</i>).
Bramble Scrub	Condition Assessment N/A	Bramble scrub.
Urban – Bare Ground	Poor	An area of bare soil or other unvegetated substrate .
Urban – Artificial Unvegetated, Unsealed Surface	Condition Assessment N/A	Land with no or very low vegetation cover .
Urban – Developed Land; Sealed Surface	Condition Assessment N/A	Existing road through the Site.

¹¹ Certain habitats are listed as Priority Habitats (also termed Habitats of Principal Importance), the conservation of which public authorities in England must have due regard to as part of policy or decision making under Section 40 of the *Natural Environment and Rural Communities (NERC) Act 2006*. Irreplaceable habitats are those listed under *The Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024*.

Habitat	Condition	Reference/Description
Species-rich Native Hedgerow with Trees - Associated with Bank or Ditch	Good	H4 and H6.
Species-rich Native Hedgerow with Trees	Good	H7.
Species-rich Native Hedgerow with Trees	Moderate	H5.
Native Hedgerow with Trees	Good	H1 and H2.
Native Hedgerow	Good	H3 and H8.
Line of Trees	Good	Tree line TL1 delineating the southern boundary and sited either side of WC1.
Other Rivers and Streams	Moderate	Padge Hall Brook WC1 flowing west-to-east along the southern boundary, though the centre of TL1.

River Condition Assessment

- 3.8 Due to dense vegetation and a tree line to the north and south of the stream, the ecologist carrying out the River Condition Assessment (RCA) was unable to access the whole length of the stream, with only two of the five MoRPH modules completed. Given the fairly uniform nature of the water course and bankside vegetation present, the condition of the stream has been assumed to be the same as the two modules that were surveyed.
- 3.9 The MoRPH survey and subsequent desk-based analysis found the Padge Hall Brook to be of Moderate value for the purposes of assessment within the BNG Metric.

Biodiversity Net Gain

- 3.10 The anticipated post-development biodiversity value of the Site has been calculated based on the Illustrative Masterplan (as provided within Appendix EDP 1).
- 3.11 Given the Site is currently being promoted through the local plan, and the development layout and landscape design are therefore illustrative, reasonable assumptions have been made using professional judgement on the type, extent and condition of habitats to be retained, enhanced, and newly created.
- 3.12 The predicted overall net change in biodiversity units, taking into account all proposed habitat retention, enhancement and creation on-site is summarised in Table EDP 3.2.

Table EDP 3.2: Biodiversity Net Gain Summary

Biodiversity Value	Habitat Units	Hedgerow Units	River Units
Existing Site (baseline)	47.91	29.35	5.36
Post-development (post intervention)	13.08	15.29	6.19
Net Balance (units)	-34.83	-14.06	0.84
Net Balance (%)	-72.69	-47.92	+15.60

- 3.13 Based on the current scheme, the Metric has demonstrated a likely net loss in habitat units and hedgerow units, though a net gain in watercourse units.
- 3.14 EDP have completed a detailed review of habitats associated with the wider Magna Park and their target conditions. This review has identified areas of habitat which can be further enhanced to achieve an improved condition, thereby delivering a greater quantum of biodiversity units. Enhancements would be delivered through adoption of a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan.
- 3.15 It is anticipated that these units could be readily created within the wider the Magna Park on land under the Applicant's control, and as such there is assurance that the shortfall in units identified can be offset in close proximity to the Site. On this basis, the Site can accommodate up to a 70,000 sqm gross internal area whilst achieving a net gain in biodiversity of 10%

4 KEY CONSTRAINTS AND OPPORTUNITIES

- 4.1 On the basis of the initial survey work described within this report, it is considered that there are some limited constraints associated with designated sites and locally valuable habitats which will need to be considered and mitigated accordingly, as discussed below.
- 4.2 The key constraints associated with the Site are as follows:
- The presence of a non-statutory site adjacent to the Site boundary (Magna Park Hedgerow (H4/ H5) LWS); and
 - Ecologically valuable habitats (hedgerows and watercourse).
- 4.3 Potential negative impacts to the adjacent Magna Park Hedgerow (H4/ H5) LWS can be avoided through buffering and standard engineering protocols. Furthermore, there is an opportunity to enhance this habitat through adoption of a more appropriate management regime.
- 4.4 It is considered that the majority of impacts on habitats and protected species (if present) can be avoided through the retention and enhancement of key features within the Site, as per the following:
- Buffering of the Magna Park Hedgerow (H4/ H5) LWS and associated Padge Hall Brook ;

- Retention/buffering of the on-site habitats and immediately adjacent habitats, in particular the boundary hedgerows, watercourse and ditches, as well as adjacent off-site tree lines and woodland belts;
- Enhancement of the existing hedgerow network and creation of new, species-rich hedgerow habitat and long-term management for the benefit of wildlife;
- Creation of areas of species-rich wildflower grassland within areas of informal green open space;
- Incorporation of a range of bat and bird boxes into new buildings and/or installed on retained mature trees to provide new roosting and nesting opportunities;
- Wildlife-sensitive lighting scheme to minimise the effects of artificial lighting on commuting and foraging bats and other nocturnal wildlife; and
- Provision of Sustainable Drainage Systems (SuDS) features and dedicated wildlife ponds, designed to benefit biodiversity through appropriate design, planting and management of surrounding green open spaces.

4.5 The development design has sought to follow the Biodiversity Gain Hierarchy as set out in the *Town and Country Planning (Development Management Procedure) (England) Order 2015*. The scheme has sought to retain the most important habitats within the proposed layout, including the network of hedgerows, and to provide a buffer to the Padge Hall Brook, both of which represent Priority Habitats. Additional green space has been provided around the peripheries of the development for grassland, scrub and woodland creation. Where these effects cannot be avoided, mitigation, and then enhancements, would be provided within the Site. Where on-site creation/enhancement is not possible, off-site solutions will be sought.

4.6 The Metric has demonstrated a net loss in habitat units and hedgerow units. The Applicant would commit to delivering a net gain in biodiversity via an off-site solution to create/enhance habitats, to generate the unit shortfall and achieve a minimum of 10% gain. The offsetting scheme would be set out within a Biodiversity Gain Plan submitted to and approved by the Local Planning Authority, pre-commencement, as per the general biodiversity gain condition under the granted planning permission. On this basis, this is not considered to represent a significant constraint to the allocation of this Site.

Protected and/or Notable Species

4.7 To fully assess the ecological value of the Site, a scope of Phase 2 species surveys would be required to inform a planning application, likely to comprise surveys for breeding birds, bat roosting and activity, otter, water vole, badger, great crested newt and common reptiles.

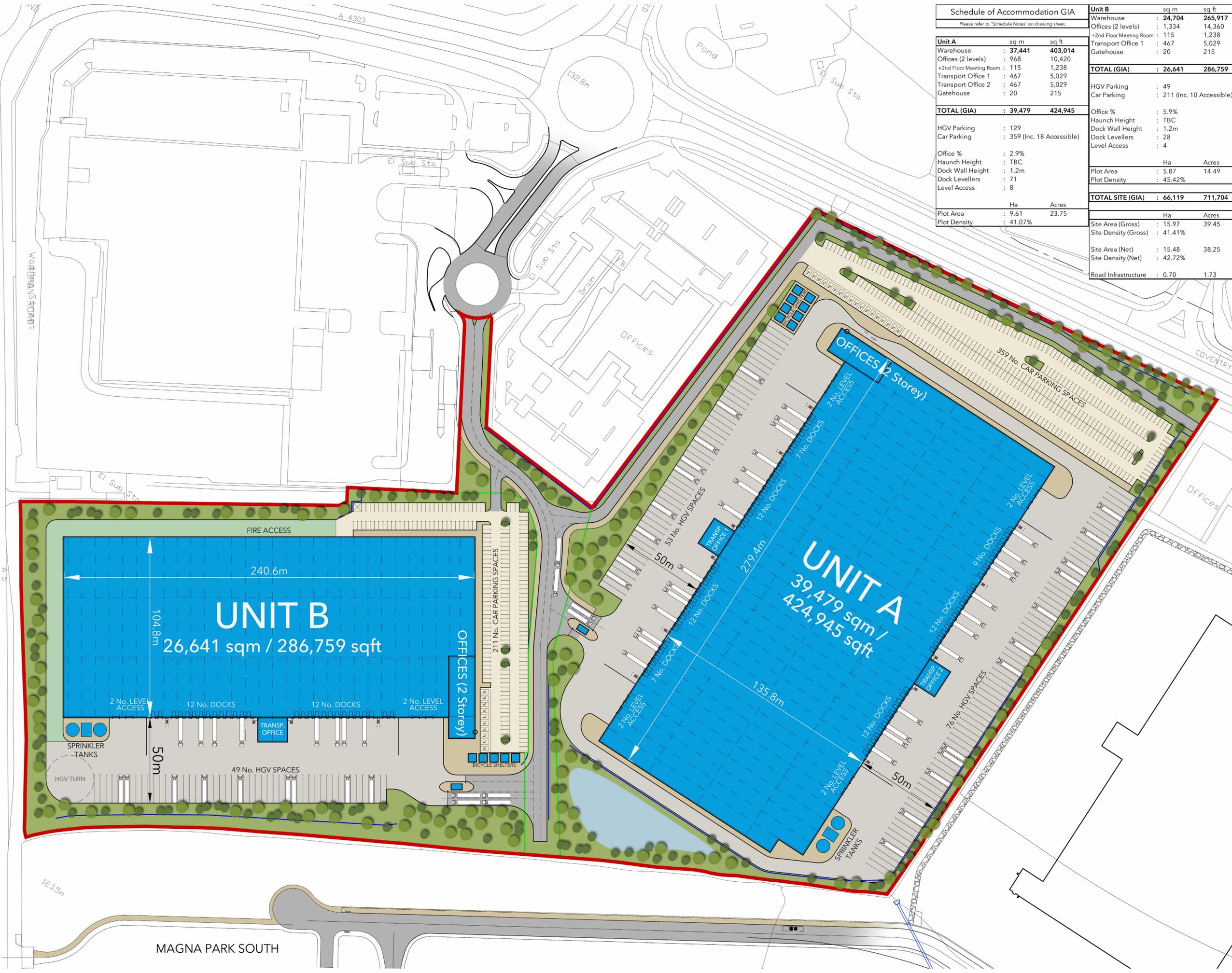
4.8 The habitat creation outlined in the Illustrative Masterplan will provide mitigation for protected species assemblages and the design and management of these habitats would be tailored to deliver benefits for biodiversity. Given the fairly isolated nature of the Site, its limited extent and the lack of high-distinctiveness habitats, it is considered unlikely that any species assemblages present would pose a significant 'in-principle' constraint to future

development. This view is supported by EDPs knowledge of the local species assemblages, established during ecological surveys completed in 2014, 2015, 2017 and 2018, to inform the Magna Park South application.

5 CONCLUSIONS AND FURTHER SURVEY REQUIREMENTS

- 5.1 On this basis, by virtue of the relatively limited constraint posed by the Site's habitats and protected species interest, coupled with the flexibility in design response, the scheme is capable of compliance with relevant planning policy for the conservation and enhancement of the natural environment at all levels. There is therefore no reason, in ecological terms, why this Site should not be promoted as an ecologically sensitive response to the provision of commercial development within the Harborough District Local Plan.

Appendix EDP 1 Illustrative Masterplan



Schedule of Accommodation GIA		
Please refer to 'Schedule Notes' on drawing sheet		
Unit A	sq m	sq ft
Warehouse	37,441	403,014
Offices (2 levels)	968	10,420
+2nd Floor Meeting Room	115	1,238
Transport Office 1	467	5,029
Transport Office 2	467	5,029
Gatehouse	20	215
TOTAL (GIA)	39,479	424,945
HGV Parking	129	
Car Parking	359 (Inc. 18 Accessible)	
Office %	2.9%	
Haunch Height	TBC	
Dock Wall Height	1.2m	
Dock Levellers	71	
Level Access	8	
	Ha	Acres
Plot Area	9.61	23.75
Plot Density	41.07%	

Unit B		
sq m	sq ft	
Warehouse	24,704	265,917
Offices (2 levels)	1,334	14,360
+2nd Floor Meeting Room	115	1,238
Transport Office 1	467	5,029
Gatehouse	20	215
TOTAL (GIA)	26,641	286,759
HGV Parking	49	
Car Parking	211 (Inc. 10 Accessible)	
Office %	5.9%	
Haunch Height	TBC	
Dock Wall Height	1.2m	
Dock Levellers	28	
Level Access	4	
	Ha	Acres
Plot Area	5.87	14.49
Plot Density	45.42%	
TOTAL SITE (GIA)	66,119	711,704
	Ha	Acres
Site Area (Gross)	15.97	39.45
Site Density (Gross)	41.41%	
Site Area (Net)	15.48	38.25
Site Density (Net)	42.72%	
Road Infrastructure	0.70	1.73

NOTES:
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 Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only.
 Subject to statutory approvals and survey. Use figured dimensions only.
 Building areas are liable to adjustment over the course of the design process due to the ongoing construction detailing developments.
 Please note the information contained within this drawing is solely for the benefit of the employer and should not be relied upon by third parties.
 The CDM hazard management procedures for the Chetwoods aspects of the design of this project are to be found on the "Chetwoods - Hazard Analysis and Design Risk Assessment" and/or drawings. The full project design teams comprehensive set of hazard management procedures are available from the Principle Designer appointed for the project.

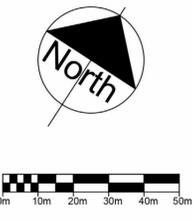
Notes:
 Please note Title Plans have been scaled using Ordnance Survey features which may have altered over time. Complete accuracy cannot be guaranteed without further on-site survey.

Any dimensions given are to be confirmed with site measure.

Schedule Notes:
 All sq. ft. areas are based on the conversion factor of 10.763910417 to ensure accuracy.

However, decimals are hidden values which are rounded up / down which can sometimes result in the totals not always adding up.

NB.
 • **SUBJECT TO SURVEYS, CONSTRAINTS & PLANNING.**
 • **LAYOUT TO BE TRACKED.**
 • **RED LINE INDICATIVE ONLY.**



Key
 Site Boundary

P4	Boundary updated	17.03.25	MK/PS
P3	Drawn to latest GLP spec.	13.03.25	MK/PS
P2	Beilmouths widened	20.05.24	MK/PS
P1	First Issue.	22.04.24	MB/PS

PRELIMINARY
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 www.chetwoods.com



Project
 Magna Park Lutterworth
 Phase 5



Drawing Title
 Illustrative Masterplan

Scale	Size	Drawn	Checked	Date
1:1000	A1	MB	PS	22.04.2024

Project	Originator	Zone	Level	Type	Role	Number	Rev.
4300	CA	00	00	DR	A	00054	P4

MAGNA PARK SOUTH

Plans

Plan EDP 1: Baseline Habitat Plan
(edp8804_d001a 17 April 2025 DJo/NDo)

Plan EDP 2: Proposed Habitat Plan
(edp8804_d002a 17 April 2025 DJo/NDo)



-  Site Boundary
-  Other Neutral Grassland
-  Modified Grassland
-  Blackthorn Scrub
-  Bramble Scrub
-  Tall Forbs
-  Ruderal/Ephemeral
-  Artificial Unvegetated, Unsealed Surface
-  Bare Ground
-  Developed Land; Sealed Surface
-  Line of Trees
-  Species-rich Native Hedgerow with Trees
-  Species-rich Native Hedgerow with Trees - Associated with Bank or Ditch
-  Native Hedgerow with Trees
-  Native Hedgerow
-  Other Rivers and Streams

client
GLP

project title
Magna Park Lutterworth South – Phase 5

drawing title
Baseline Habitat Plan

date	17 APRIL 2025	drawn by	DJo
drawing number	edp8804_d001a	checked	NDo
scale	1:2,500 @ A3	QA	JFr



Registered office: 01285 740427 - www.edp-uk.co.uk - info@edp-uk.co.uk



- Site Boundary
- Retained Habitats**
- Modified Grassland
- Line of Trees
- Species-rich Native Hedgerow with Trees
- Native Hedgerow with Trees
- Native Hedgerow
- Enhanced Habitats**
- Other Neutral Grassland
- Mixed Scrub
- Other Rivers and Streams
- Created Habitats**
- Other Neutral Grassland
- Modified Grassland
- Mixed Scrub
- Sustainable Drainage System
- Developed Land; Sealed Surface
- Small Urban Tree

client
GLP

project title
Magna Park Lutterworth South – Phase 5

drawing title
Proposed Habitat Plan

date	17 APRIL 2025	drawn by	DJo
drawing number	edp8804_d002a	checked	NDo
scale	1:2,500 @ A3	QA	JFr

A6. HERITAGE NOTE

HERITAGE NOTE

Springfield Farm, Lutterworth

794-PLN-HER-01455
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March 2025

Document status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
1	Client issue	SM/JD	SM	SM	11.03.25
2	Final	SM/JD	SM	SM	20.03.25

Approval for issue



20 March 2025

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1 INTRODUCTION

- 1.1 This Heritage Note report has been prepared to accompany GLP's representations on the draft Local Plan for the allocation of c. 125 ha at Springfield Farm, Lutterworth for distribution purposes – as a natural extension to Maga Park North.
- 1.2 The Heritage Note has been prepared to provide additional information on the heritage context of the Site and outline the work undertaken to date in providing an understanding of the site and key built heritage and archaeology issues.
- 1.3 It provides a high-level review of heritage constraints and opportunities. It has been prepared following a site visit and acquisition of the HER data – but no detailed map regression/historical research has yet been undertaken.
- 1.4 The site measures c.125 ha and is located north of the existing Magna Park North and south-east of Ullesthorpe. It comprises 11 fields, divided by hedgerows interspersed with trees.
- 1.5 To advance the development proposals, it is essential that any formal applications are accompanied by thorough assessments that provide a more in-depth understanding of the site's historical significance. Specifically, an Archaeological Desk Based Assessment (DBA) will be necessary to evaluate the potential for archaeological remains within the site and to inform the design and layout of the proposed development. This should be supported by a geophysical survey.
- 1.6 Additionally, a Built Heritage Statement will be required to assess the impact of the proposed development on any nearby built heritage assets, including listed buildings, conservation areas, and other significant structures assessed as non-designated heritage assets. This statement will provide an analysis of how the development may affect the significance of these assets, advising where any potential harm could be minimized.

2 LEGISLATIVE AND PLANNING POLICY FRAMEWORK

- 2.1 The current national legislative and planning policy system identifies, through the National Planning Policy Framework (NPPF), that applicants should consider the potential impact of development upon 'heritage assets'. This term includes: designated heritage assets which possess a statutory designation (for example listed buildings and conservation areas); and non-designated heritage assets, typically identified by Local Planning Authorities (LPAs) and incorporated into a Local List and/or recorded on the Historic Environment Record.

Legislation

- 2.2 Where any development may affect certain designated heritage assets, there is a legislative framework to ensure proposed works are developed and considered with due regard to their impact on designated heritage assets. This extends from primary legislation under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 2.3 The relevant legislation in this case extends from section 66 of the 1990 Act which states that special regard must be given by the decision maker, in the exercise of planning functions, to the desirability of preserving or enhancing listed buildings and their setting.
- 2.4 The meaning and effect of these duties have been considered by the courts, including the Court of Appeal's decision in relation to Barnwell Manor Wind Energy Ltd v East Northamptonshire District Council [2014] EWCA Civ 137.
- 2.5 The Court agreed within the High Court's judgement that Parliament's intention in enacting section 66(1) was that decision makers should give '*considerable importance and weight*' to the desirability of preserving (i.e. keeping from harm) the setting of listed buildings.
- 2.6 Section 69(1) of the Act requires LPAs to '*determine areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance*' and to designate them as conservation areas. Section 69(2) requires LPAs to review and, where necessary, amend those areas '*from time to time*'.
- 2.7 For development within a conservation area section 72 of the Act requires the decision maker to pay '*special attention [...] to the desirability of preserving or enhancing the character or appearance of that area*'. The duty to give special attention is considered commensurate with that under section 66(1) to give special regard, meaning that the decision maker must give considerable importance and weight to any such harm in the planning balance. However, unlike the parallel duty under section 66, there is no explicit protection for the setting of a conservation area. The Site is not located within a conservation area and therefore section 72 does not apply.

National Planning Policy

National Planning Policy Framework (Ministry of Housing, Communities and Local Government December 2024)

- 2.8 The NPPF is the principal document that sets out the Government's planning policies for England and how these are expected to be applied.
- 2.9 It defines a heritage asset as a: '*building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest*'. This includes both designated and non-designated heritage assets.
- 2.10 Section 16: Conserving and Enhancing the Historic Environment relates to the conservation of heritage assets in the production of local plans and decision taking. It emphasises that heritage

assets are *'an irreplaceable resource, and should be conserved in a manner appropriate to their significance'*.

- 2.11 For proposals that have the potential to affect the significance of a heritage asset, paragraph 207 requires applicants to identify and describe the significance of any heritage assets that may be affected, including any contribution made by their setting. The level of detail provided should be proportionate to the significance of the heritage assets affected. This is supported by paragraph 208, which requires LPAs to take this assessment into account when considering applications.
- 2.12 Under 'Considering potential impacts' paragraph 212 states that 'great weight' should be given to the conservation of designated heritage assets, irrespective of whether any potential impact equates to total loss, substantial harm or less than substantial harm to the significance of the heritage assets.
- 2.13 Paragraph 214 states that where a development will result in substantial harm to, or total loss of, the significance of a designated heritage asset, permission should be refused, unless this harm is necessary to achieve substantial public benefits, or a number of criteria are met. Where less than substantial harm is identified paragraph 215 requires this harm to be weighed against the public benefits of the proposed development.
- 2.14 Paragraph 216 states that where an application will affect the significance of a non-designated heritage asset, a balanced judgement is required, having regard to the scale of harm or loss and the significance of the heritage asset.
- 2.15 Paragraph 219 notes that local planning authorities should look for opportunities for new development within conservation areas and World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. It also states that proposals that preserve those elements of the setting that make a positive contribution to, or better reveal the significance of, the asset should be treated favourably.
- 2.16 Furthermore, paragraph 220 states that not all elements of a conservation area or World Heritage Site will necessarily contribute to its significance. When determining the impacts arising from the loss of a building or element that does positively contribute, consideration should be given to the relative significance of that building and the impact to the significance of the conservation area or World Heritage Site as a whole.

National Guidance

Planning Practice Guidance (DCLG)

- 2.17 The Planning Practice Guidance (PPG) has been adopted to aid the application of the NPPF. It reiterates that conservation of heritage assets in a manner appropriate to their significance is a core planning principle.
- 2.18 The PPG defines the different heritage interests as follows:
- archaeological interest: As defined in the Glossary to the National Planning Policy Framework, there will be archaeological interest in a heritage asset if it holds, or potentially holds, evidence of past human activity worthy of expert investigation at some point.
 - architectural and artistic interest: These are interests in the design and general aesthetics of a place. They can arise from conscious design or fortuitously from the way the heritage asset has evolved. More specifically, architectural interest is an interest in the art or science of the design, construction, craftsmanship and decoration of buildings and structures of all types. Artistic interest is an interest in other human creative skill, like sculpture.
 - historic interest: An interest in past lives and events (including pre-historic). Heritage assets can illustrate or be associated with them. Heritage assets with historic interest not only provide a material record of our nation's history, but can also provide meaning for communities derived

from their collective experience of a place and can symbolise wider values such as faith and cultural identity.

- 2.19 Key elements of the guidance relate to assessing harm. It states that substantial harm is a high bar that may not arise in many cases. It also states that while the level of harm will be at the discretion of the decision maker, generally substantial harm is a high test that will only arise where a development seriously affects a key element of an asset's special interest. It is the degree of harm, rather than the scale of development, that is to be assessed.

Overview: Historic Environment Good Practice Advice in Planning

- 2.20 Historic England have published a series of documents to advise applicants, owners, decision-takers and other stakeholders on managing change within the historic environment. These include Historic Environment Good Practice Advice in Planning (GPAs) documents and Historic England Advice Notes (HEANS).

GPA2: Managing Significance in Decision-Taking in the Historic Environment (March 2015)

- 2.21 This document provides advice on numerous ways in which decision making in the historic environment could be undertaken, emphasising that the first step for all applicants is to understand the significance of any affected heritage asset and the contribution of its setting to that significance. In line with the NPPF and PPG, the document states that early engagement and expert advice in considering and assessing the significance of heritage assets is encouraged. The advice suggests a structured, staged approach to the assembly and analysis of relevant information:

1. Understand the significance of the affected assets;
2. Understand the impact of the proposal on that significance;
3. Avoid, minimise and mitigate impact in a way that meets the objectives of the NPPF;
4. Look for opportunities to better reveal or enhance significance;
5. Justify any harmful impacts in terms of the sustainable development objective of conserving significance balanced with the need for change; and
6. Offset negative impacts to significance by enhancing others through recording, disseminating and archiving archaeological and historical interest of the important elements of the heritage assets affected.

GPA3: The Setting of Heritage Assets (Second Edition; December 2017)

- 2.22 This advice note focuses on the management of change within the setting of heritage assets. This document replaces GPA3: The Setting of Heritage Assets (March 2017) and Seeing History in the View (English Heritage, 2011) in order to aid practitioners with the implementation of national legislation, policies and guidance relating to the setting of heritage assets found in the 1990 Act, the NPPF and PPG. The guidance is largely a continuation of the philosophy and approach of the 2011 and 2015 documents and does not present a divergence in either the definition of setting or the way in which it should be assessed.
- 2.23 As with the NPPF the document defines setting as *'the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve'*. Setting is also described as being a separate term to curtilage, character and context. The guidance emphasises that setting is not a heritage asset, nor a heritage designation, and that its importance lies in what it contributes to the significance of the heritage asset, or the ability to appreciate that significance. It also states that elements of setting may make a positive, negative or neutral contribution to the significance of the heritage asset.

- 2.24 While setting is largely a visual term, with views considered to be an important consideration in any assessment of the contribution that setting makes to the significance of an asset, and thus the way in which an asset is experienced, setting also encompasses other environmental factors including noise, vibration and odour. Historical and cultural associations may also form part of the asset's setting, which can inform or enhance the significance of a heritage asset.
- 2.25 This document provides guidance on practical and proportionate decision making with regards to the management of change within the setting of heritage assets. It is stated that the protection of the setting of a heritage asset need not prevent change and that decisions relating to such issues need to be based on the nature, extent and level of the significance of a heritage asset, further weighing up the potential public benefits associated with the proposals. It is further stated that changes within the setting of a heritage asset may have positive or neutral effects.
- 2.26 The document also states that the contribution made to the significance of heritage assets by their settings will vary depending on the nature of the heritage asset and its setting, and that different heritage assets may have different abilities to accommodate change without harming their significance. Setting should, therefore, be assessed on a case-by-case basis.
- 2.27 Historic England recommends using a series of detailed steps in order to assess the potential effects of a proposed development on significance of a heritage asset. The 5-step process is as follows:
1. Identify which heritage assets and their settings are affected;
 2. Assess the degree to which these settings and views make a contribution to the significance of a heritage asset(s) or allow significance to be appreciated;
 3. Assess the effects of the proposed development, whether beneficial or harmful, on the significance or on the ability to appreciate it;
 4. Explore ways to maximise enhancement and avoid or minimise harm; and
 5. Make and document the decision and monitor outcomes.

HEAN12: Statements of Heritage Significance: Analysing Significance in Heritage Assets (October 2019)

- 2.28 This advice note provides information on how to assess the significance of a heritage asset. It also explores how this should be used as part of a staged approach to decision-making in which assessing significance precedes designing the proposal(s).
- 2.29 Historic England notes that the first stage in identifying the significance of a heritage asset is by understanding its form and history. This includes the historical development, an analysis of its surviving fabric and an analysis of the setting, including the contribution setting makes to the significance of a heritage asset.
- 2.30 To assess the significance of the heritage asset, Historic England advise to describe various interests. These follow the heritage interest identified in the NPPF and PPG and are: archaeological interest, architectural interest, artistic interest and historic interest.

Local Planning Policy

- 2.31 In considering any planning application for development, the planning authority will be mindful of the framework set by government policy, in this instance the NPPF, by current Development Plan Policy and by other material considerations.

Draft Harborough Local Plan 2020-2041

- 2.32 Harborough District Council, the local planning authority are currently preparing and consulting on a New Local Plan; the Proposed Submission Draft Harborough Local Plan 2020-2041 (Draft Local Plan).
- 2.33 The Draft Local Plan is the long-term plan to guide development within the district in the period to 2041. It sets out a strategy for the amount, location and design of new built development (such as homes, schools, employment, retail) whilst helping to protect the countryside, important green spaces and our unique built and natural heritage from inappropriate development, as well as improve the natural environment and tackle climate change.
- 2.34 Regulation 19 Consultation will take place between: 10 March 2025 to 6 May 2025. This document supports a submission for allocation within the New Local Plan (2020-2041).

Ullesthorpe Neighbourhood Plan

- 2.35 The Ullesthorpe Neighbourhood Plan Area was Designated July 2017. The red line of the designated area includes the Site.
- 2.36 Following the area's designation a Neighbourhood Plan does not appear to have been produced.

3 HERITAGE BASELINE

Designated Heritage Assets

- 3.1 The site measures c.125 ha and is located north of the existing Magna Park North and south-east of Ullesthorpe. It comprises 11 fields, divided by hedgerows interspersed with trees.
- 3.2 There are no designated heritage assets within the site. There are five Listed Buildings, two Scheduled Monuments and one Conservation Area within a 1km search radius around the Site. These include;
- Moat, fishponds and shifted village earthworks at Ullesthorpe, Scheduled Monument (NHLE; 1010300)
 - Bittesby deserted medieval village, Scheduled Monument (NHLE; 1012563)
- Ullesthorpe Conservation Area**
- Within the Conservation Area are several Grade II Listed Buildings. The only one that has been deemed to be sensitive to development of the Site is **Ullesthorpe Mill**, Grade II Listed (NHLE; 1292776).
- 3.3 The search area has been considered as sufficient and proportionate in which to establish the potential sensitivity of heritage assets located within the surrounding area. Where it has been deemed appropriate assets outside the 1km search have been included. These include;
- Ashby Parva Conservation Area
 - Claybrooke Parva Conservation Area
- 3.4 The Listed Buildings within these Conservation Areas have not been identified as individually sensitive to development of the Site and will be assessed as part of the Conservation Areas.

Non-designated Heritage Assets

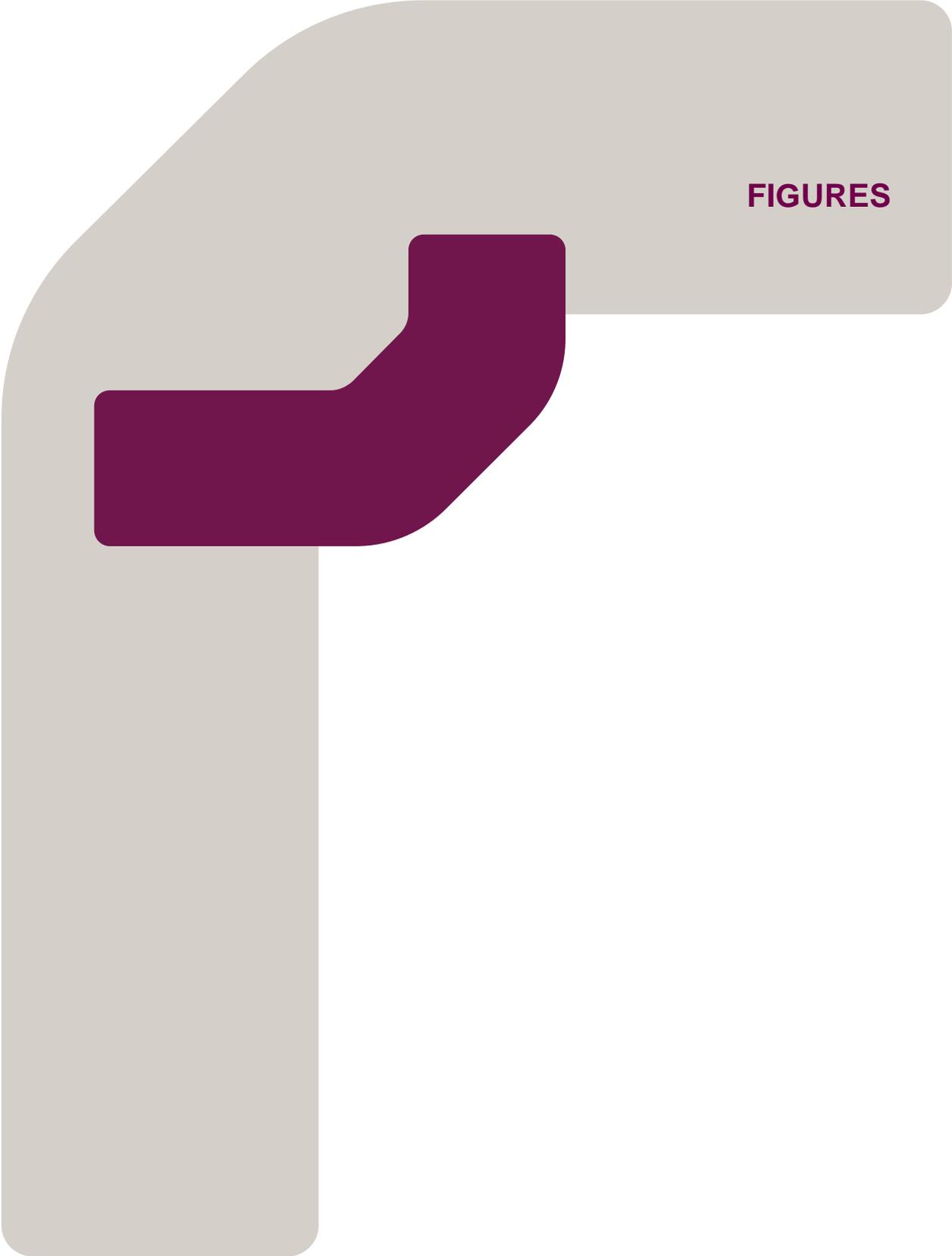
- 3.5 There are 4 HER records from within the site (shown on Figure 3). These comprise:
- Medieval coin from south-east of Grey Gables, Ullesthorpe
 - Military buildings north of Bitteswell Airfield, Ullesthorpe – no longer extant
 - Roman Finds
 - A polygon associated with a possible Anglo-Saxon site south-east of Manor Farm, Ullesthorpe
- 3.6 A barn located on the eastern side of the Site has the potential to be assessed as a non-designated heritage asset but further assessment would be required including historic research. Chukey Hall, Lutterworth Road, Lutterworth to the north of the Site is identified on HER and has the potential to be assessed as a non-designated heritage asset but further assessment would be required.
- 3.7 The Magna Park North site – located to the south was extensively assessed through programmes of geophysical survey, fieldwalking and trial trenching leading to mitigation through area excavation across c. 13 ha. The wider landscape is therefore extraordinarily well understood. Evidence for earlier Prehistoric activity is limited but the ridges were settled in the Iron Age and settlement activity continued through the Roman period. Little evidence was found for Saxon activity – but the two Scheduled Medieval settlement sites within the search area attest to occupation in the Medieval period. The Site is assessed as likely to contain a number of Iron Age/Romano-British farmsteads with some enhanced potential for Medieval activity.

4 CONS AND OPPTS

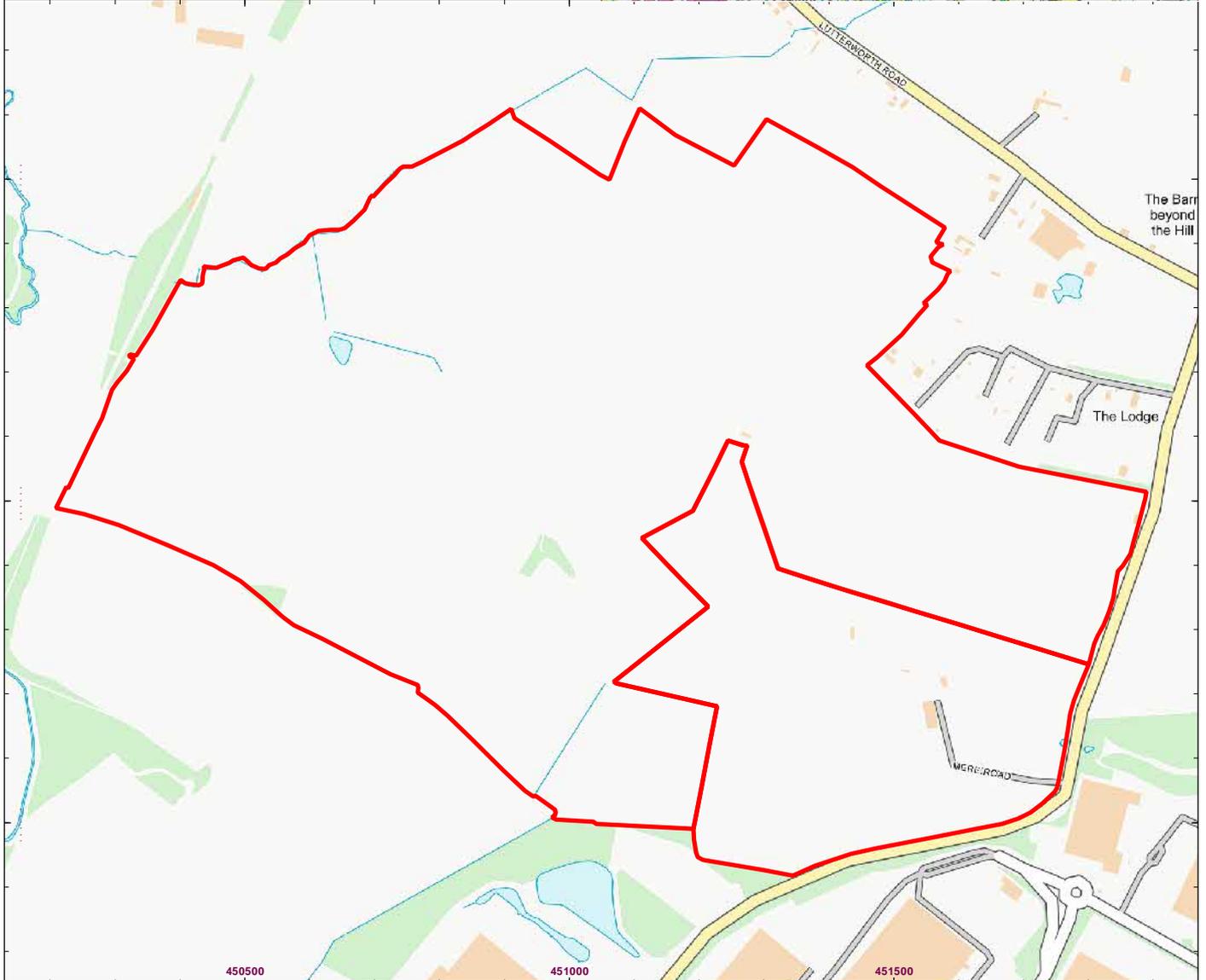
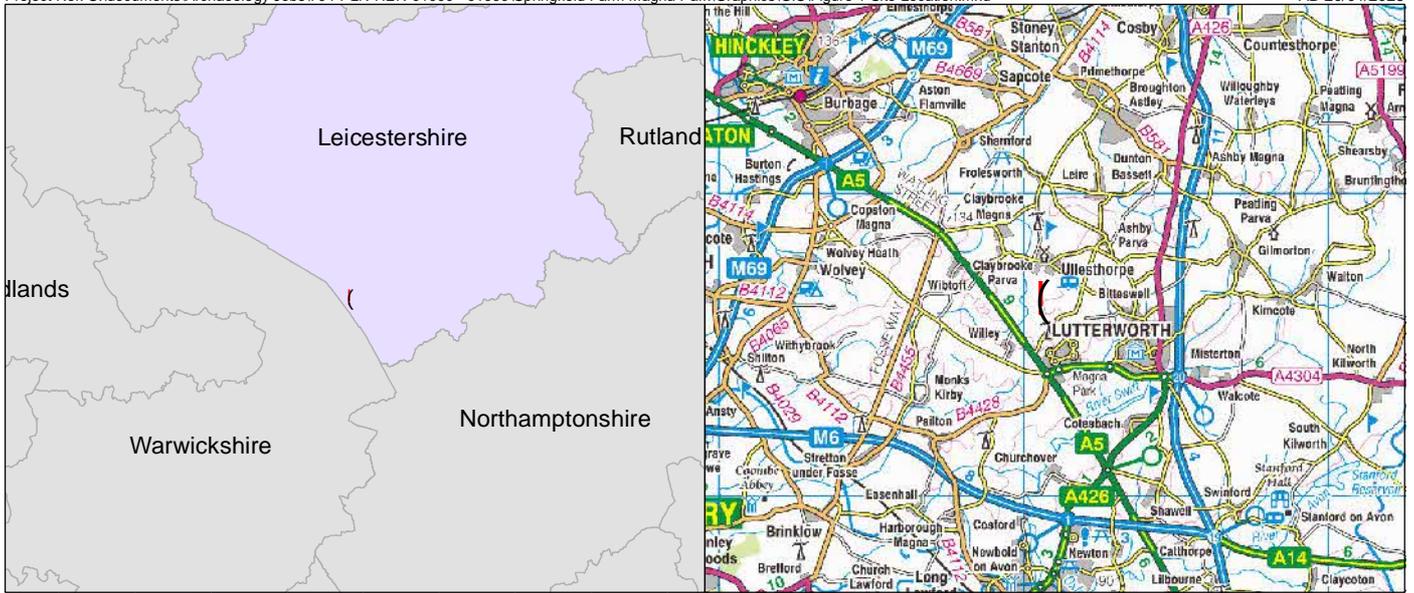
- 4.1 Given the size and location of the Site there are relatively few designated heritage assets assessed to be potentially sensitive to the proposed development. Detailed consideration of impacts will require a more detailed understanding of the parameters of the proposed development and visualisations/modelling.
- 4.2 The Scheduled Monument of Bittesby DMV is potentially sensitive to the proposed development through changes within its setting. Its current setting includes distribution warehouses to the south and east and its western limit is formed by the embankment to the former railway. The proposed Masterplan seeks to extend the Country Park to ensure a green buffer to the Monument – but there is likely to be increased Modern development in views to the north from Monument. This impact is unlikely to exceed a low level of less than substantial harm. There is not anticipated to be any impact on the significance of the Ullesthorpe Scheduled Monument which is unlikely to be intervisible with the proposed development – although there might be changes to views where both can be seen together. These changes are unlikely to result in any harm to the Ullesthorpe Scheduled Monument.
- 4.3 The Ullesthorpe Conservation Area is c. 500 metres to the north-west of the Site. Given the proximity it is potentially sensitive to development within the Site, through changes within its setting. Currently, there is limited visibility between the Site and the Ullesthorpe Conservation Area, which is mostly enclosed by the settlement's built form. However, the height and scale of the proposed distribution buildings could alter the experience of the Conservation Area. Where visible, the proposed buildings would likely be seen at distant and glimpsed views in context with the existing buildings of Magna Park. The increase in modern development in views out from the Conservation Area could have a negative impact on its setting. This impact is unlikely to exceed a low level of less than substantial harm. The orientation and layout of any new built form on the Site will be important to reduce their visibility, prominence and resultant impact on the Conservation Area. Suitable landscaping, including the planting of trees or shrubs around the sheds, can help conceal them from sight and soften their appearance, thereby minimizing their impact on the character of the Conservation Area.
- 4.4 The Grade II Listed Ullesthorpe Mill is located within the Ullesthorpe Conservation Area and is c.700 metres north west of the Site. It is visible from parts of the Site, and vice versa. The Windmill's prominence is a result of its function, views to and from it are fortuitous and are not intended or designed. While the Site may form part of the Mill's wider rural setting without further historical research, it is unclear whether the site has a historic association with the Mill and contributes to its significance. The proposed development would result in a change to part of the Mill's wider setting but the proposed development would be seen in context with the existing development of Magna Park. The height of the buildings could be reduced in the areas of the Site closest to the Windmill and built form could be orientated with its narrowest point facing towards the Windmill. Impacts to the Mill's significance are unlikely to surpass a low level of less than substantial harm.
- 4.5 The Claybrooke Parva Conservation Area is 1350 metres north west of the Site. It is mostly shielded from the Site, with visibility emerging along Woodway Lane. These views contribute to the experience and setting of the Conservation Area. As one travels south, the buildings of Magna Park come into view. The proposed development would appear in the foreground of this existing development. If the sheds are designed and positioned to complement the current structures, they could blend in and be perceived as a continuation of the established development. Additionally, appropriate landscaping, such as planting trees or shrubs around the sheds, can help screen them from view and soften their appearance, further diminishing their impact on the character of the conservation area. A full assessment of impacts will need to be informed through CGIs and verified views. If there are any impacts to the Conservation Area these would be minor and result in a very low level of less than substantial harm.
- 4.6 Ashby Parva Conservation Area is roughly 2km to the north of the Site. Visibility between the Site and the Conservation Area is largely obstructed by existing built form, but the Site becomes visible along Ullesthorpe Road as one exits the settlement. These views, while not from within the

Conservation Area, still contribute to its setting. As one travels south the buildings of Magna park become visible. The proposed development would be seen in the foreground of this existing development. If the sheds are designed and sited to complement existing development, they could be seen as a continuation of the established development. The proposed buildings located in areas that are not prominently visible from key viewpoints or public spaces within the Conservation Area, their impact on the overall character and appearance of the area may be minimal. Appropriate landscaping, such as planting trees or shrubs around the sheds, can help screen them from view and soften their appearance, further reducing their impact on the Conservation Area. These changes may not result in any harm to the Conservation Area, at most they are unlikely to exceed a low level of less than substantial harm.

- 4.7 Where the proposed development will, cause less than substantial harm to the significance of designated heritage assets NPPF paragraph 215 requires *the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use*. Paragraph 216 requires *the effect of an application on the significance of a non-designated heritage asset to be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset*.
- 4.8 In conclusion, while the proposed development has the potential to impact the significance of various heritage assets, this is not likely to exceed a low level of less than substantial harm. Careful design and siting can mitigate and reduce these impacts. By ensuring that the proposed buildings complement existing structures and are placed in less visible areas, along with appropriate landscaping, the overall impact on heritage assets will be minimised. Further assessments through CGIs and verified views will be essential to fully understand and address any potential impacts on these heritage assets.
- 4.9 Given the size of the application area and the nature of the proposed development impacts upon heritage assets are assessed to be relatively low in relation to comparable sized schemes in Leicestershire and beyond. Based on the information provided and the assessment within this Heritage Note the site is considered suitable for development and allocation in the Local Plan as there would be no fundamental heritage constraints.



FIGURES



 Site Boundary

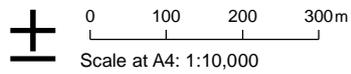
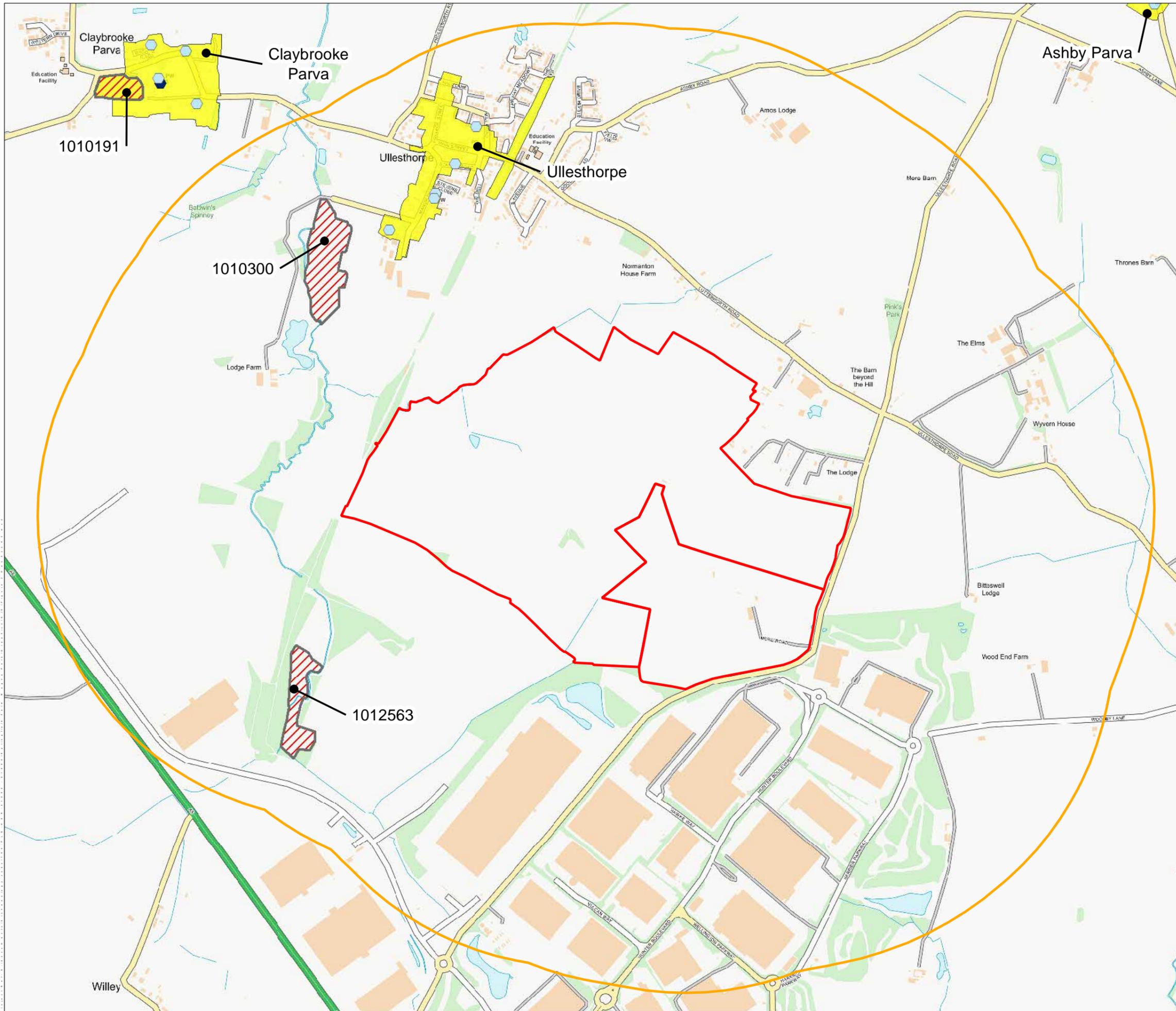


Figure 1
Site Location



Site Boundary
 1km Search Area

Listed Buildings
Grade

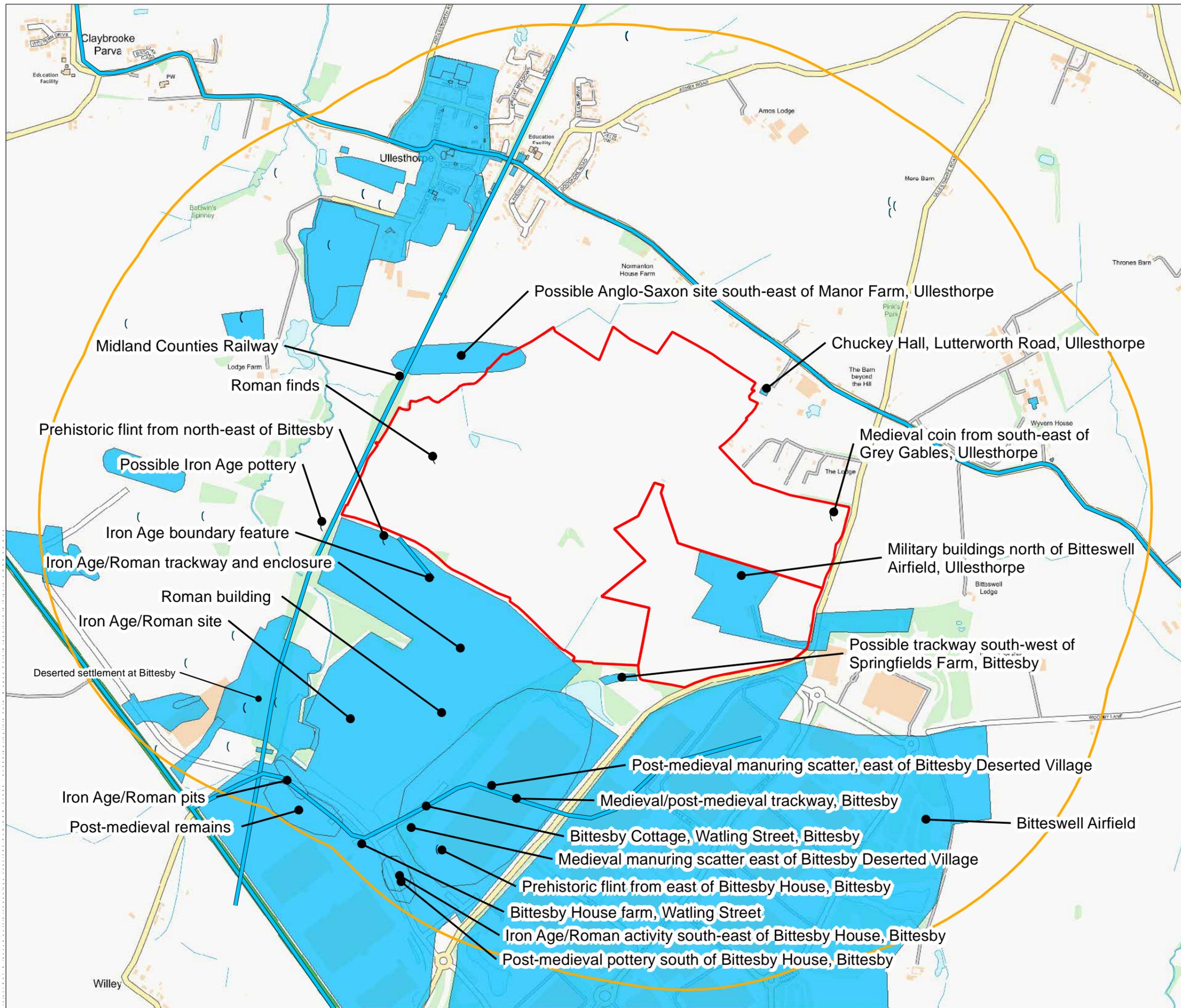
- % I
- % II*
- % II

Conservation Areas
Scheduled Monuments

0 155 310m
 Scale at A3: 1:12,000



Figure 2
 Designated Assets



- Site Boundary
- 1km Search Area
- Monuments

± 0 100 200m
Scale at A3: 1:12,000



Figure 3
HER Data Monuments



APPENDICES

Appendix 1

NATIONAL HERITAGE LIST FOR ENGLAND – LISTING ENTRY FOR ULLESTHORPE MILL

Ullesthorpe Mill, Mill Road

Grade II Listed Building. NHLE: 1292776. Listed: November-1972.

Appleford Church Street SU59SW (North side) 4/2 Church of St. Peter and St. 09/02/66 Paul

GV II

ULLESTHORPE MILL ROAD SP58NW 1323-0/3/104 (West side) 02/11/72 Ullesthorpe Mill II

Windmill tower. Built by subscription 1800. Round red brick tower with batter and slight bell-cast. Creosoted iron pepperpot cap, rounded with finial. Drive-shaft still in existence. Door on ground floor to south-east with one on first floor above and one second floor to north-east, all boarded. Various leaded casements on different floors, all in segment-headed openings. Interior: machinery more or less intact, including shafting, wallower, spur wheel, grain nuts and shafts, bins and hoists.

Listing NGR: SP5065687755

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