

Delegated Report

Planning Ref: 23/00789/FUL
Applicant: Horiba MIRA Ltd
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Horiba Mira Ltd, Mira Drive, Lindley, Nuneaton

A Borough to be proud of

Proposal: Extension to existing workshop

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. Full planning permission is sought for the erection of a multi-use concrete pad, which can accommodate temporary workshop buildings in association with testing works on the adjacent track facilities. The concrete pad will also include an area for servicing, a HGV turning circle and car and HGV parking.
- 2.2. The concrete hardstanding will measure approximately 6,860sqm with a service yard, HGV turning circle and car and HGV parking to the southern boundary, and access via the existing internal road network. The hardstanding area could accommodate temporary structures of 20m x 70m and 20m x 14m.

3. Description of the Site and Surrounding Area

- 3.1. Horiba Mira and its associated grounds are located on Watling Street (A5), between the villages of Higham on the Hill and Fenny Drayton, with the A5 to the south. The Horiba Mira site covers almost 3 square kilometres. The application site comprises an area of land adjacent to the A5, within the curtilage of the designated Mira Enterprise Zone. The site lies between existing workshops of a similar design and scale.
- 3.2. Located on the southern portion of the wider MIRA site, the Application Site comprises grassland and hardstanding and is located adjacent to the existing single-storey crash test workshop facility (2,319sqm floorspace) which enables single moving object collisions under test conditions. The crash test facility is bounded by existing workshop buildings for the test facility.

4. Relevant Planning History

- 4.1. The site has a vast comprehensive planning history, however the applications most relevant in this case are:-

17/00242/FUL	Erection of two workshop and office buildings (Use Class B1 (b)) including car parking and landscape	Permission	20.10.2017
18/00425/FUL	Construction of a Connected and Autonomous Vehicle (CAV) testing track, a control tower and storage building, ground works, landscaping and associated infrastructure	Permission	25/09/2018

18/00679/FUL	Erection of workshop and office building (Use Class B1(b)) including car parking and landscaping	Permission	14/11/2018
--------------	--	------------	------------

5. Publicity

- 5.1. A site notice was also posted within the vicinity of the site. There are no neighbours in the vicinity of the site.
- 5.2. No comments received.

6. Consultation

- 6.1. No objection have been received from:-
 Leicestershire County Council (Highways)
 HBBC Environmental Health
 HBBC Waste
 HBBC Drainage (subject to conditions)
 LCC Archaeology (subject to a condition)
 LCC Ecology (subject to conditions)
- 6.2. No comments received from Higham on the Hill Parish Council or HBBC Regeneration.

7. Policy

- 7.1. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement and Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM17: Highway Design
 - Policy DM18: Vehicle and Parking Standards
 - Policy DM19: Existing Employment Sites
- 7.2. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2012)
 - Planning Practice Guidance (PPG)

8. Appraisal

- 8.1. Key Issues
 - Assessment against strategic planning policies
 - Impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Impact upon ecology
 - Flooding and drainage
 - Archaeology

Assessment against strategic planning policies

- 8.2. This site is an allocated employment site HIG17, within the Site Allocations and Development Management Policies (SADMP) and therefore the principle of

employment development in an allocated employment site is considered sustainable and in accordance with Policy DM19 of the SADMP.

Impact upon the character of the area

- 8.3. Policy DM10 of the SADMP require development to complement the character of the surrounding area with regard to scale, layout design and materials and incorporate landscaping where this would add to the quality of the scheme.
- 8.4. Policy DM4 of the SADMP supports certain forms of development in the countryside. The proposed hardstanding area would be seen in the context of the existing built-up development as part of the existing employment site of MIRA. Whilst some grassland would be lost, the harm to the character of the area as considered to be minimal and would not outweigh the benefits of the proposal in terms of economic growth and job creation. Any views of the site from public vantage points would be very limited at most, and the degree of harm is therefore considered negligible.
- 8.5. Overall, the proposal results in an appropriate design which is considered to be in accordance with Policy DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.6. Policy DM10 of the adopted SAMP seeks to ensure that development does not adversely affect the privacy and amenity of neighbouring properties.
- 8.7. Due to the location of the proposal within the centre of the site, there are no residential dwellings in the vicinity. Therefore, the proposed building would not have any impact upon residential amenity and is in accordance with Policy DM10.

Impact upon highway safety

- 8.8. Policy DM17 and DM18 of the SADMP states that proposals ensure that there is adequate provision for on and off-street parking for residents and visitors and there is no impact upon highway safety.
- 8.9. The site will be accessed by an existing access to the wider MIRA site, and the proposed development would not lead to an intensification of this access or the associated parking area. Furthermore, Leicestershire County Council (Highways) raises no objection to the proposal.
- 8.10. For the reasons outlined above, the proposal is considered to be in accordance with Policies DM17 and DM18 of the SADMP.

Impact upon ecology

- 8.11. Policy DM6 of the SADMP states that developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On-site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.12. The submitted Planning Statement confirms that the hedgerow within the site is considered a Habitat of Principal Importance and will be retained. The hedgerow and trees to the eastern boundary were historically identified for potential roosting features and will be retained with no direct impacts on roosting bats anticipated. No standing water is present on site. However, two ponds are located within the immediate vicinity (20m and 60m north-east), two ponds within 250m and up to eleven additional ponds within a 500m radius. The ponds have been subject to

monitoring as part of a great crested newt mitigation licence granted in 2019. No great crested newts have been recorded in the three nearest ponds and low numbers of individuals have been recorded within ponds in the surrounding area. However, the Site provides suitable terrestrial opportunities and forms part of a potential commuting route between ponds.

- 8.13. LCC Ecology has reviewed the submitted documents and confirm that the ecological walkover survey is acceptable, and makes some pertinent points regarding bats, Great Crested Newts, breeding birds, reptiles, and terrestrial mammals. LCC Ecology have recommended conditions regarding any proposed lighting on site, and request that a GCN licence is obtained prior to the commencement of development. The submitted walkover survey and Construction Ecological Management Plan are to be adhered to throughout the development period, and this is also secured by a condition.
- 8.14. Therefore, subject to adherence with the conditions imposed, the development would be in accordance with Policy DM6 of the adopted SADMP.

Flooding and drainage

- 8.15. Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.16. The application is accompanied by a flood risk assessment and drainage strategy which has been reviewed by HBBC Drainage. The Officer has no objection subject to three pre-commencement conditions relating to sustainable surface water drainage, management of surface water and long-term maintenance of the sustainable surface water drainage system. On this basis, the proposal is considered to lead to no risk of flooding and drainage issues subject to conditions and in accordance with Policy DM7 of the SADMP.

Archaeology

- 8.17. Policy DM13 of the Site Allocations and Development Management Policies seeks to preserve the borough's archaeology. Where a proposal has the potential to impact a site of archaeological interest, applications should be accompanied by an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset.
- 8.18. An Archaeological Evaluation (June 2017) was prepared and submitted as part of application ref. 17/00242/FUL. As no development has occurred on the NW7 or NW8 site, it is considered that the conclusions of the Evaluation remain applicable. The report concludes that 14no. evaluation trenches were devoid of archaeology, however two brick and mortar structures were located which had previously been partially revealed. The two brick structures are evidence of possible slit trenches constructed during the Second World War as positions to defend the airfield.
- 8.19. County Archaeology have been consulted and note the previous trial trenching which partly uncovered the remains of two small brick-built structures within the current application area. Further trenching in 2017 exposed the full extent of these features, which appear to be weapons pits constructed to defend the former airfield. Consequently, the Officer recommends that to prior to commencement the applicant must make arrangements for and implement an appropriate programme of archaeological investigation. This will involve an area excavation to allow for the brick-built structures and any similar features present to be recorded and investigated.

- 8.20. This has been included as a planning condition below and subject to compliance the proposal would accord with Policy DM13 of the SADMP.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

- 9.3. There are no known equality implications arising directly from this development.

10. Conclusion

- 10.1. The application is in response to on-going improvements, expansion and modernisation of a locally significant and allocated employment site, the development of which in principle is beneficial to both the local and wider economy. The development would resemble the appearance existing and surrounding site and is reflective of the wider surrounding built form. The development would not have any adverse impacts in terms of character or visual amenity of the surrounding area or landscape and raises no significant adverse impacts with regard to highway safety. It is considered that the proposal would not have any adverse impact upon ecology, drainage, archaeology or the amenity of neighbouring residential occupiers subject to conditions. The proposal is therefore in accordance with Policy DM1, DM4, DM6, DM7, DM10, DM13, DM17, DM18 and DM19 and is therefore recommended for approval subject to conditions.

11. Recommendation

- 11.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Site Location Plan - Dwg. No. 7045-XX-NW08-XX-DR-X-02 Rev P1 (Received 11/08/23)
- Proposed Block Plan - Dwg. No. 7045-XX-NW08-XX-DR-X-04 Rev P1

- Temporary Buildings Illustrative Layout - Dwg. No. 7045-XX-NW08-XX-DR-X-10 Rev P2

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. No demolition/development shall take place/commence until the necessary programme of archaeological work has been submitted to and approved by the local planning authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed 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, recording, dissemination and archiving in accordance with Policies DM11, DM12 and DM13 of the Site Allocations and Development Management Policies Development Plan Document.

4. The development hereby permitted shall be carried out in strict accordance with the recommendations outlined in the submitted Ecological Walkover Survey (Middlemarch, received 11th August 2023). The mitigation and enhancement measures shall be thereafter maintained in perpetuity.

Reason: To ensure the protection of species and their habitats in accordance with Policies DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. Prior to the commencement of development, if any lighting is proposed, a lighting plan showing the location and specifications for any proposed external lighting on the site shall be submitted to for approval by the Local Planning Authority.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

6. The development hereby permitted shall be carried out in strict accordance with the Construction Ecological Management Plan (Middlemarch, received 5th October 2023). All site clearance and construction related works should be conducted in compliance with this document and adhered to at all times.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. Prior to any works commencing on site, a Natural England great crested newt development licence will be required to proceed lawfully due to the presence of a suspected small population class of great crested newts within ponds immediately adjacent to the Site.

Reason: In order to protect the protected wildlife species and their habitats that are known to exist on site to accord with in accordance with Policy DM6 of the Site Allocations and Development Management Policies Development Plan Document (2016).

8. Development shall not begin until a scheme to provide a sustainable surface water drainage system in accordance with the Flood Risk Assessment and Drainage Strategy dated July 2023 has been submitted to and approved by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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 though the entire development construction phase in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document.

9. Prior to commencement of development details in relation to the management of surface water on site during construction of the development shall be submitted to, and approved in writing by, the Local Planning Authority. 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.

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 though the entire development construction phase in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document.

10. Prior to commencement of development details in relation to the long-term maintenance of the sustainable surface water drainage system on the development shall be submitted to and approved in writing by the Local Planning Authority. Details of the SuDS Maintenance Plan should include responsibilities and schedules for routine maintenance, remedial actions and monitoring of the separate elements of the system and should also include procedures that must be implemented in the event of pollution incidents within the development site.

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 though the entire development construction phase in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document.

Informatives

1. The approved development may require Building Regulations Approval, for further information please contact the Building

Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.

2. 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.
3. Nesting birds are protected from disturbance under the Wildlife & Countryside Act 1981 (as amended); therefore all removal of trees/shrubs/hedges should take place outside the breeding season (March - September inclusive) unless carefully checked beforehand by a suitably qualified person.