

Delegated Report

Planning Ref: 24/00672/REM
Applicant: MTP 2 Limited
Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: MIRA Ltd, MIRA Drive, Lindley, Nuneaton

Proposal: Approval of reserved matters (Layout, Scale, Appearance and Landscaping) for Plot 44, within Zone 3, of the outline permission 11/00360/OUT and 14/00661/CONDIT

1. Recommendations

1.1. Grant approval of reserved matters subject to:

- Planning conditions outlined at the end of this report.

2. Planning application description

2.1. This application seeks the approval of reserved matters (Layout, Scale, Appearance and Landscaping) for planning permission 14/00661/CONDIT for a new workshop, parking area and landscaping at Plot 44 within zone 3 of the existing MIRA Technology Park.

2.2. Outline planning permission was originally granted on 9th March 2012 (ref. 11/00360/OUT) for the following development:

"Business Technology campus comprising replacement MIRA headquarters, office, research and manufacturing Facilities, hotel and local facilities including retail/cafe/restaurant Indoor and outdoor leisure, ancillary energy generation plant Equipment , internal access roads, car parking, landscaping, Drainage and associated works and creation of new improvement Access points, widening of A5, associated earth works and landscaping (outline: access only) (cross boundary application with north Warwickshire Borough Council) (Departure from the Development Plan) (EIA Development)".

2.3. Planning permission was granted on 29th April 2014 (ref. 13/00603/CONDIT) to allow the A5 improvement works to commence without triggering certain planning condition requirements:

"Variation of conditions 5 - 11, 15 - 17, 26 - 32 and 34 of planning permission 11/00360/OUT".

2.4. A further planning permission was subsequently granted (ref. 14/00661/CONDIT) to extend the number of conditions not affected by the A5 improvement works. This is the current master permission for the Technology Park site and was granted permission on 2nd December 2014:

"Variation of conditions 5, 6, 8, 11, 15, 16, 27, 32, 34 of planning permission 13/00603/CONDIT (relating to outline planning permission 11/00360/OUT) for a Business Technology Campus development".

2.5. It is this Planning Permission (14/00661/CONDIT) which now forms the operant permission to which this Reserved Matters application relates. As such, the applicant now seeks to submit Reserved Matters for the next phases of development. Condition 2 attached to 14/00661/CONDIT requires each part of the development to be the subject of a separate reserved matters approval, and for that phase or part of the development not be commenced until approved.

3. Description of the site and surrounding area

- 3.1. The wider comprises various automotive research and development facilities, creating a mixed industrial and business park character within a rural context alongside the A5 corridor.
- 3.2. The application site for Plot 44 sits within an undeveloped area, previously under arable agriculture, at the easternmost part of the wider MIRA site. The site is broadly square in shape and is generally open, extends to an area of 1.18 Hectares. The Plot is currently accessed via the Park's Eastern Avenue, which spurs off MIRA Drive and the main roundabout within site. The Site's southern edge is currently to open field and anticipates future plot development up to the Park's southern boundary.

4. Relevant planning history

23/01003/NMA

- Non-material amendment to planning permission 14/00661/CONDIT. Amendment to wording of condition 1
- Permitted
- 08.11.2023

23/00203/DISCON

- Application to discharge planning conditions 5 (Local Employment), 8 (Noise), 9 (Lighting), 10 (Lighting during prep and construction), 15 (Land Contamination), 16 (CEMP) and 17 (Waste and Recycling) of planning application 14/00661/CONDIT for Zone 4 Plots 6, 8 and 9
- Split Decision
- 25.05.2023

23/00094/DISCON

- Application to partially discharge condition 16 (Construction Environmental Management Plan) of planning application 14/00661/CONDIT for the demolition phase of works
- Permitted
- 21.02.2023

22/00889/DISCON

- Application to discharge Condition 6 - (Green Travel Plans), Condition 7 - (BREEAM Design Stage Assessment), Condition 11 - (Land Contamination), Condition 26 (Badger Survey), Condition 27 - (Great Crested Newt Mitigation), Condition 28 - (Strategic Surface Water Strategy), Condition 29 - (Drainage), Condition 30 - (Soil Handling Strategy), Condition 32 - (Written Scheme of Investigation), Condition 34 - (Bat Survey and Mitigation) linking with conditions on outline planning permission 14/00661/CONDIT relating to reserved matters applications 22/00697/REM and 22/00709/REM (for Buildings within Zone 4 Plots 6, 8 and 9)
- Split Decision
- 18.04.2023

22/00697/REM

- Approval of Reserved Matters (Layout, Scale, Appearance and Landscaping) for Plots 8 and 9 within Zone 4 of Planning Permission ref: 14/00661/CONDIT

(Variation of conditions 5, 6, 8, 11, 15, 16, 27, 32, 34 of planning permission 13/00603/CONDIT (relating to outline planning permission 11/00360/OUT) for a Business Technology Campus development)

- Permitted
- 02.11.2022

14/00661/CONDIT

- Variation of conditions 5, 6, 8, 11, 15, 16, 27, 32, 34 of planning permission 13/00603/CONDIT (relating to outline planning permission 11/00360/OUT) for a Business Technology Campus development.
- Permitted
- 02.12.2014

13/00603/CONDIT

- Variation of conditions 5 - 11, 15 - 17, 26 - 32 and 34 of planning permission 11/00360/OUT.
- Permitted
- 29.04.2014

13/00621/REM

- Reserved Matters application for A5 widening works pursuant to planning permission 11/00360/OUT (EIA Development)
- Permitted
- 16.10.2013

11/00360/OUT

- Business Technology campus comprising replacement MIRA headquarters, office, research and manufacturing facilities, hotel and local facilities including retail/cafe/restaurant Indoor and outdoor leisure, ancillary energy generation plant equipment, internal access roads, car parking, landscaping, drainage and associated works and creation of new improvement access points, widening of A5, associated earth works and landscaping (outline: access only) (cross boundary application with north Warwickshire Borough Council)
- Permitted
- 09.03.2012

5. Publicity

- 5.1. The application has been publicised with an advertisement in the local press, and a site notice was also posted within the vicinity of the site.
- 5.2. No comments have been received.

6. Consultation

- 6.1. No objections, some subject to conditions, have been received from:
- HBBC Drainage
 - HBBC Waste
 - HBBC Environmental Health (Pollution)
 - LCC Ecology
 - LCC Archaeology
 - LCC Highways

- Environment Agency
- Natural England
- Leicestershire Police

7. Policy

7.1. Core Strategy (2009)

7.2. Core Strategy (2009)

- Policy 1: Strong and Diverse Economy

7.3. Site Allocations and Development Management Policies DPD (SADMP) (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

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)
- Good Design Guide (2020)

8. Appraisal

8.1. The principle of development has been established via outline planning permission 14/00661/CONDIT.

8.2. The key Issues in respect of this reserved matters application are therefore:

- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety
- Flood Risk and Drainage
- Ecology and Biodiversity
- Other matters

Design and impact upon the character of the area

8.3. Policy DM10 of the SADMP requires development to enhance the character of the surrounding area, appropriate use of building materials, high standards of landscaping, conservation of energy, and that natural surveillance, fire safety measures and the principles of secured by design is maximised. This is also supported through the Borough Council's adopted Good Design Guide 2020.

8.4. The site is a greenfield site, which is relatively open, but is viewed in the context of the wider MIRA site which diminishes its rural character. The outline permissions identified that the development of the site would have an impact upon the

immediate area, however the wider impact would be limited, subject to appropriate landscaping and design.

- 8.5. Paragraphs 131 and 137 of the NPPF (2023) state that good design is a key aspect of sustainable development and planning decisions as it creates better places in which to live and work and helps make development acceptable to communities. Decisions should ensure that development; will function well and add to the overall quality of the area, are visually attractive as a result of good architecture, layout and appropriate landscaping, are sympathetic to local character, establish/maintain a strong sense of place and optimise the potential of the site.
- 8.6. The Good Design Guide provides detailed advice to developers on standards that will be expected when delivering new development.
- 8.7. The proposed building is utilitarian and contemporary in terms of its design, consisting of a two-storey building measuring 74m in length, 36m in depth, with a flat roof height of 9.5m. The main building divided into two units along its length, with the rear section of each unit being of portal frame construction. Each unit comprises of two storey offices at the front and workshop at the rear, with service yard at the rear that are enclosed with a 2.4m high powder coated louvred metal security fencing, in keeping with the general MIRA security requirements throughout the wider site.
- 8.8. Plants for the office and for the workshop is distributed over the site to be close to the area being served. The roof plant is clad in the same material as the main cladding to help it blend in with the elevation design. A sub-station is located to the eastern site boundary, adjacent to the building. The roof plant will be enclosed with a metal clad wall, with a parapet height of 11.14m. The simple shape of the building, the use of a vertical cladding panel system, with expressed joints between each panel and an integrated double glazed window system create a building with a contemporary appearance. The silver and dark grey external cladding, coupled with the use of clear glass double glazed ribbon windows is a reflection of the modern research and development architecture and accords with the design of the wider site.
- 8.9. Vehicular access to the site is from the south western side off Eastern Avenue with car parking directly along the front elevation of the building. Eastern Avenue is also extended north to provide a dedicated access for vehicles accessing the yards to the rear. Breakout/external seating area is proposed on each side adjacent to the office accommodation.
- 8.10. Regarding landscaping, new planting is proposed to all boundaries and reflects a continuation of the landscaping of the wider site. Within the site, the parking areas will be contained with tree, hedge and shrub planting, which is supported, softening the visual impact of parked vehicles and hardstanding areas. An outdoor amenity area is proposed adjacent to the offices with feature paving and lawn with ornamental planting chosen for year-round benefit.
- 8.11. In terms of new hard standing, the road area within the car park at the front of the building will be finished with tarmac whilst the parking bays will be finished with permeable block paving.
- 8.12. Overall, the scale, massing, layout, general design and landscaping of the proposed development reflect its function and context and is appropriate for the site and its end user. It is therefore considered that the proposed development is designed to a high standard that accords with the requirements of policy DM10 of the SADMP as well as meeting the standards that are set out in the Good Design Guide.

Impact upon neighbouring residential amenity

- 8.13. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.14. There are no neighbouring dwellings in the vicinity which would be permanently adversely affected in terms of neighbouring amenity.
- 8.15. Therefore, it is not considered that the proposal would have an adverse impact upon residential amenity and would accord with Policy DM10 of the SADMP.

Impact on highway safety

- 8.16. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highways authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.17. Policy DM10(g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.
- 8.18. Paragraph 111 of the NPPF (2023) outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112(e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.19. The point of access into and out of the site was approved at outline stage. For Plot 44a the Applicant is providing 34 car parking spaces, including two Electric Vehicle charging bays and six parking bays to be provided with a cable route for a future electric charging point. Plot 44a will also include three disabled parking bays, 10 bicycle parking spaces and four motorcycles parking spaces. For Plot 44b the Applicant is providing 41 car parking spaces, including two EV charging bays and eight parking bays to be provided with a cable route for a future electric charging point. Plot 44b will also include 3 disabled parking bays, 10 bicycle parking spaces and five motorcycle parking spaces. The Local Highway Authority has no objections to the internal road layout and confirms that sufficient parking is provided.
- 8.20. Subject to conditions, the proposals would not have significant impact on highway safety and in accordance with Policies DM17 and DM18 of the SADMP and the NPPF.

8.21. Flood Risk and Drainage

- 8.22. 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.
- 8.23. Paragraph 165 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere. The systems used should take account of advice from the LLFA, have appropriate proposed minimum operating standards, have maintenance arrangements for the lifetime of the development and where possible provide multifunctional benefits.
- 8.24. HBBC Drainage have no objections to the scheme, advising that the proposals are acceptable subject to the previous conditions as part of the outline permission to secure a surface water drainage scheme, management and maintenance of surface

water and SuDS. Subject to the suggested outline condition, the development will satisfy policy DM7 and the NPPF.

Ecology and Biodiversity

- 8.25. Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Paragraph 180 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.26. The application has been subject to consultation with the Leicestershire County Council Ecology Team who have confirmed there is no objection to the proposed development. It is noted that Leicestershire County Council (Ecology) confirmed during the determination of the outline application that no further ecological works were required. The development therefore accords with Policy DM6 of the SADMP.

Other matters

- 8.27. The development would be subject to all conditions attached at outline stage which includes conditions relating to permitted use class for the site, Green Travel Plan, Land Contamination, A5 highway improvements, drainage, and archaeological evaluations. Some of these conditions have since been discharged, however the remaining outline conditions apply and are to be addressed through separate discharge of conditions applications.
- 8.28. LCC Archaeology have requested a Written Scheme of Investigation prior to the commencement of development as part of the consultation for this application. However, these conditions already exist as part of the operant permission 14/00661/CONDIT (Conditions 32 and 33), and therefore are not required to be included as part of this permission. They will be subject to a separate discharge of conditions application in due course, and LCC Archaeology will be consulted as part of this.

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.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights,

specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. Outline planning permission has been approved for the comprehensive MIRA scheme which included the detailed consideration of vehicle access and the principle of development for the business technology campus. The proposal seeks permission for the outstanding reserved matters of scale, layout, appearance and landscaping for Plot 44 within Zone 3 of the wider development. By virtue of the scale, design, layout and landscaping proposed, the proposal would not harm the character and appearance of the area in accordance with Policy DM10 of the SADMP and the advice in the Council's Good Design Guide.
- 10.2. In addition, the proposal would not have any significant adverse impact upon residential amenity, highway safety, ecology, or drainage. Therefore, the reserved matters are recommended for approval subject to additional conditions.

11. Recommendation

Grant approval of reserved matters subject to:

- Planning conditions attached to outline planning permission 23/00445/OUT and those outlined at the end of this report.

11.1 Conditions and Reasons

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

- 21-092-03-SGP-ZZ-ZZ-DR-A-101001 P01 – Site Location Plan
- 21-092-03-SGP-ZZ-ZZ-DR-A-131001 – Existing Site Plan
- 21-092-03-SGP-ZZ-ZZ-SR-A-131010 P07 – Proposed Site Plan
- 21-092-03-SGP-ZZ-ZZ-SR-A-131100 P02 – Proposed Floor Plans
- 21-092-03-SGP-ZZ-ZZ-SR-A-131101 P04 – Proposed Roof Plan
- 21-092-03-SGP-ZZ-ZZ-SR-A-131300 P04 – Proposed Elevations (1 of 2)
- 21-092-03-SGP-ZZ-ZZ-SR-A-131300 P04 – Proposed Elevations (2 of 2)
- 21-092-03-SGP-ZZ-ZZ-SR-A-131210 – Proposed Sections

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. The materials to be used on the external elevations of the development hereby approved shall be implemented in accordance with the list of Materials and Finishes on the submitted application details as follows:

- 21-092-03-SGP-ZZ-ZZ-SR-A-131300 P04 – Proposed Elevations (1 of 2)
- 21-092-03-SGP-ZZ-ZZ-SR-A-131300 P04 – Proposed Elevations (2 of 2)

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The finished floor levels shall then be implemented in accordance with the approved Proposed Sections- Drawing No. 21-092-03-SGP-ZZ-ZZ-SR-A-131210.

Reason: To ensure that the development has a satisfactory appearance and in the interests of visual amenity in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the drawing titled 'Site Plan - Base Build' drawing no. 21-092-03- SGP-ZZ-ZZ-DR-A-131010 P07. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with Policy DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (December 2023).

5. The approved hard and soft landscaping scheme shall be carried out in accordance with the Landscape Proposals hereby approved (Drawing No. 1238-TFC-44-XX-DR-L-1001) in the first planting season following the first occupation of the development to which it relates. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the work is carried out within a reasonable period and thereafter maintained in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Informatives

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary Licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.