

Delegated Report

Planning Reference 26/00064/FUL

Applicant(s) C/o Agent

Ward Markfield, Stanton & Fieldhead



Hinckley & Bosworth
Borough Council

Application Site 21 Shaw Lane, Markfield, Leicestershire

Proposal Siting of portable buildings and associated canopy for a temporary period of five years

Case Officer Sullivan Archer (Senior Planning Officer)

1. Recommendations

- 1.1. **Grant planning permission** subject to planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. This planning application seeks full planning permission for the siting of portable buildings and associated canopy for a temporary period of five years at Upton Steel, 21 Shaw Lane, Markfield. The temporary structures are required to enable the existing business to operate efficiently and safely to meet existing operational requirements and to support the long-term effectiveness of the site whilst the approved scheme under 18/00658/HYB is under technical review.
- 2.2. The portacabin buildings would include a single storey 2.8m high portacabin and a two-storey 5.6m high portacabin located behind it to the southwest of the existing warehouse building. The total size of these temporary structures would be 12.1m in width and 6.2m in depth. These temporary portacabins would be accompanied by a temporary 14m wide by 25m deep by 7.5m high metal-clad canopy structure to the central rear of the existing warehouse unit.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located to the south of Shaw Lane ('A511'), to the west of Stanton Lane in the designated open countryside, the Thringstone/ Markfield Quarries and Settlement Landscape Character Area, Charnwood Forest, and the National Forest. The site is associated with, and to the south of the existing built form of the employment premises of Upton Steel, which is one mile west of Junction 22 of the M1 and 900m north of Stanton under Bardon.
- 3.2. Upton Steel is a steel processing company producing sheets of steel cut from coils to customer specification and are one of three comparable companies in the UK to offer this service. The company employees 125 full-time equivalent roles.

- 3.3. To the north of Upton Steel is Shaw Lane's roundabout junction with Stanton Lane and Copt Oak Road and several residential and commercial uses. To the east of the site on the opposite side of Stanton Lane are several residential properties that are set lower than and set back from the public highway, and Markfield Equestrian Centre to the southeast. To the south and west of Upton Steel is open countryside including the Billa Barra Local Nature Reserve, which is a Local Wildlife Site and a Natural Open Space.

4. Relevant Planning History

- 4.1 The application site has an extensive planning history that dates back to 1974. The most recent and relevant planning history for this application includes the following:

4.2 **24/01143/CONDIT**

- Application to vary condition 1 and 30 of planning permission 18/00658/HYB. Amendment to replace drawing 22614_08_020_01 Rev E with 1252-ADC-ZZ-XX-DR-Z-0103-S1-P01
- Awaiting Decision
- TBD

4.3 **22/01090/FUL**

- Erection of canopy extension to the south elevation
- Permitted
- 12.01.2023

4.4 **22/00556/NMA**

- Non material amendment to planning permission 18/00658/HYB (Hybrid planning application comprising outline permission (access, scale and landscaping) for the erection of up to 5000 sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works). Amendment to consist of provision of a two storey element added to the rear of the extension, and an increase in the height of the eaves of the extension
- Permitted
- 27.07.2022

4.5 **18/00658/HYB**

- Hybrid planning application comprising outline permission (access, scale, and landscaping) for the erection of up to 5,000sqm of B8 storage and full permission for extension to existing manufacturing unit (B2/B8) with associated access, landscaping and drainage works
- Permitted
- 08.01.2021

- 4.6 Conditions 05 (Surface Water Management), 06 (Construction Surface Water Management), 07 (Long-Term Surface Water Management), 08 (Infiltration Testing), C16 (Construction Environmental Management Plan), C19 (Landscaping Species Mix) attached to this permission were discharged via 23/00876/DISCON. Condition 34 (Fuel Station Noise Levels) was then discharged via 25/00057/DISCON. Condition 14 (Phase 1 Land Contamination) was partially discharged via 23/00876/DISCON and 24/00474/DISCON.

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.
- 5.2 No responses have been received.

6. Consultation

- 6.1 There have been no objections from the Council's Drainage, Environmental Health or Waste Management Departments, or from Leicestershire County Council as the Minerals and Waste Planning Authority. Leicestershire County Council as the Local Highway Authority and the National Forest Company had no comments to make on the application.
- 6.2 Leicestershire County Council's Ecology Department confirmed that the site was exempt from the mandatory biodiversity net gain requirements and that the Ecology Department had no objections to the scheme, subject to a planning condition securing details of any external lighting.

Markfield Parish Council

- 6.3 Markfield Parish Council objected to the development due to concerns regarding noise and disturbance, and light pollution to the detriment of neighbouring residential amenity from the intensification of nighttime commercial operations. The Parish Council also objected to the development due to highway safety concerns and the cumulative impacts of the development on the highway improvement works to the A511.
- 6.4 In light of the above, Markfield Parish Council requested that the temporary status of the development was reduced from five years to three years, and that the application was accompanied by a Noise Impact Assessment, a Lighting Impact Assessment, controls on HGVs, a Technical Transport Note regarding HGV circulation and access and egress, a Delivery and Servicing Management Plan, a formal liaison with Leicestershire County Council as the Local Highway Authority, and a Cumulative Construction and Operations Plan that is fully aligned with the A511 works timetable.

National Grid

6.5 National Grid raised concerns regarding the presence of the 11,000-volt underground cable and an 11,000-volt pole transformer that is located in close proximity to the proposed works and requested that the Applicant consulted National Grid on their proposal. National Grid confirmed on 25 March 2026 that they had no further comments to make on the proposed scheme.

6.6 No further responses have been received.

7. Policy

7.1 Core Strategy (2009):

- Policy 21: National Forest
- Policy 22: Charnwood Forest

7.2 Site Allocations and Development Management Policies Development Plan Document ('SADMP') (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 Leicestershire Minerals and Waste Local Plan ('LMWLP') (2019):

- Policy M11: Safeguarding of Mineral Resources

7.4 Markfield Neighbourhood Plan 2020 – 2039 ('MNP') (2021):

- Policy M1: Countryside
- Policy M2: Landscape Character
- Policy M10: Design
- Policy M24: Business Expansion

7.5 National Planning Policies and Guidance:

- National Planning Policy Framework ('NPPF') (2024)
- National Design Guide ('NDG') (2019)
- Planning Practice Guidance ('PPG')

7.6 Other Relevant Guidance:

- Good Design Guide (2020)
- HBBC's Landscape Character Assessment ('LCA') (2017)
- Leicestershire Highway Design Guide ('LHDG') (2024)

8. Appraisal

8.1. The key issues in respect of this application would therefore be:

- Principle of development
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Principle of Development

8.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

8.3 The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document ('SADMP'), the adopted Markfield Neighbourhood Plan ('MNP'), and the Leicestershire Minerals and Waste Local Plan ('LMWLP'). In accordance with Paragraph 232 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the National Planning Policy Framework ('NPPF').

8.4 The NPPF is a material planning consideration in planning decisions, and, in accordance with Paragraph 3 of the NPPF, should be read as a whole. Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development, but Paragraph 12 of the NPPF confirms that this presumption does not change the statutory status of the Development Plan as the starting point for decision making.

8.5 Outside defined settlement boundaries, the countryside is not regarded as a sustainable location for new development. Policy DM4 of the SADMP states that the Council will protect the intrinsic value, beauty, open character, and landscape character of the countryside from unsustainable development. This is supported by Policy M1 of the MNP.

8.6 Chapters 11 and 15 of the NPPF require planning policies and decisions to conserve and enhance the local environment and to safeguard and improve the environment. Policies 21 and 22 of the adopted Core Strategy detail where development will be supported in principle in the National Forest and Charnwood Forest respectively.

- 8.7 The proposal would not be considered to comply with the limitations of Policy DM4(a) to (e) of the SADMP, nor Policy M1(1) to (4) of the MNP and the development does not relate to any of the circumstances detailed at Policies 21 and 22 of the adopted Core Strategy. However, this does not mean that the development would be unsustainable in principle.
- 8.8 For example, Paragraph 85 of the NPPF highlights that planning decisions should help create the conditions in which businesses can invest, expand, and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 8.9 Paragraph 88(a) of the NPPF also states that, planning decisions should enable the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed beautiful new buildings.
- 8.10 Paragraph 89 of the NPPF states that planning decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements.
- 8.11 Policy M24 of the MNP supports the expansion of existing business and enterprise where one of four circumstances applies to the development.
- 8.12 The proposal for temporary structures is required to meet the identified existing needs of an operational business. As such, the proposal would be considered to comply with Policy M24(3) and (4) of the MNP.
- 8.13 Importantly, Policy DM4 of the SADMP also requires that development meets five further requirements to be considered as sustainable development. These are discussed in detail further in this Report.
- 8.14 In summary, the proposal would not be considered to be supported by Policies 21 and 22 of the adopted Core Strategy, Policy DM4 of the SAMDP, nor Policy M1 of the MNP in principle. However, the development would be required to meet the identified needs of an existing business, which would comply with Policy M24(3) and (4) of the MNP and be supported by Paragraphs 85, 88, and 89 of the NPPF. By virtue of these factors, the proposal would be considered to be acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of this Report.

Design and Impact upon the Character of the Area

- 8.15 Policy DM4(i) and (v) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside, and, when in the National Forest, should contribute to the delivery of the National Forest Strategy in line with Policy 21 of the adopted Core Strategy.

- 8.16 Policy 21 of the adopted Core Strategy requires development to be appropriately related in size and scale to its setting within the National Forest, and to respect the character and appearance of the wider countryside. Policy 22 of the adopted Core Strategy requires development to retain local character and complement the local landscape of Charnwood Forest.
- 8.17 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.18 Policy M2 of the MNP states that development should be located and designed in a way that is sensitive to its landscape setting, retaining and, where possible, enhancing the distinctive qualities of the relevant landscape character area.
- 8.19 Policy M10 of the MNP states that development must be in keeping with the scale, form, and character of its surroundings.
- 8.20 The proposed development would be located on existing hard standing within, and viewed in the context of, a well-established employment site, which has planning permission for its expansion via 18/00658/HYB, and would be approximately 100m from the public highway. The proposal is for temporary structures that would be subordinate to the size, scale, and height of the existing structures within this existing site.
- 8.21 By virtue of these factors, whilst the proposal is located in the designated open countryside, the temporary development within an existing operational employment site would not be considered to result in any significant harm to the character of the surrounding area, the designated open countryside, Charnwood Forest, nor the National Forest in these site-specific circumstances. As such, the proposal would be considered to accord with Policies 21 and 22 of the adopted Core Strategy, Policies DM4 and DM10 of the SADMP, and Policies M2 and M10 of the MNP.

Impact upon Residential Amenity

- 8.22 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.23 Policy M10(5) of the MNP confirms that the amenities of residents in the area should not be significantly adversely affected, including by loss of daylight/ sunlight, privacy, air quality, noise and light pollution.
- 8.24 The proposed development would be located within a well-established employment site, which has planning permission for its expansion via 18/00658/HYB. The proposal is for temporary structures, which would be located over 100m southwest from the closest residential properties.

- 8.25 The Applicant has stated that the proposed temporary works are intended solely to support the existing operational requirements of the site rather than to facilitate any operational growth of the business. The Applicant has not suggested that the temporary structures would result in any alterations to the existing working hours of the site, nor the number of staff within the site at any given time.
- 8.26 Whilst the concerns of Markfield Parish Council are appreciated, it is noted that the Council's Environmental Health Department raised no concerns with the development.
- 8.27 In summary, by virtue of the size and scale of the existing employment site, the approved expansion of the site, the temporary nature of the proposed structures and their distance from neighbouring residential properties, and the absence of any objection from the Council's Environmental Health Department, the proposal would not be considered to result in any significant adverse impacts to neighbouring residential amenity in these site-specific circumstances in accordance with Policy DM10 of the SADMP and Policy M10 of the MNP.

Impact upon Parking Provision and Highway Safety

- 8.28 Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe. Policy M10(3) of the MNP requires all development to have a safe and suitable access.
- 8.29 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.
- 8.30 Whilst the concerns of Markfield Parish Council are appreciated, Paragraph 116 of the NPPF confirms 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, following mitigation, would be severe.
- 8.31 Ultimately, the proposed development would be for a dedicated, temporary covered loading space to support existing operational requirements. Given the above, the Local Highway Authority confirmed that the development would not appear to have a material impact on public highway.
- 8.32 By virtue of these factors, the development would not be considered to create an unacceptable impact on highway safety or the road network in accordance with Policies DM17 and DM18 of the SADMP, Paragraph 116 of the NPPF, and the LHDG in these site-specific circumstances.

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 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 **Grant planning permission** subject to planning conditions detailed 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 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The planning permission hereby granted is temporary for a period of five years from the date of first use or from 24 April 2029, whichever is the sooner. After such time the portable buildings and canopy hereby permitted shall be removed from the site and the land be restored to its former condition.

Reason: In accordance with the requirements of the Applicant as detailed within the Application Form (submitted: 22.01.2026) and 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).

3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:

- Proposed Block Plan (7627-03-0101 PL3) (submitted: 06.02.2026)
- Proposed Canopy Plans (AG-25 01 (A)) (Rev A) (submitted: 22.01.2026)
- Proposed Portacabin Plans (7627-03-0103 PL1) (submitted: 22.01.2026)
- Proposed Site Plan (7627-03-0102 PL2) (submitted: 06.02.2026)
- Site Location Plan (7627-03-0100 PL1) (submitted: 22.01.2026)

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).

4. No external lighting shall be installed on the site until details (including luminance levels and measures to minimise light spillage) have been submitted to, and approved in writing by, the Local Planning Authority. External lighting shall only be installed in accordance with the approved details.

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

a. Notes to Applicant(s)

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. In accordance with National Grid's comments on the application from 23 February 2026, the Local Planning Authority advise that the Applicant should consult National Grid on the proposed works prior to development being undertaken on site.