

Delegated Report

Planning Ref: 25/00760/FUL

Applicant: Titan Properties Ltd

Ward: Newbold Verdon With Desford and Peckleton

Site: Mallory Park, Church Road, Kirkby Mallory



Hinckley & Bosworth
Borough Council

Proposal: Erection of proposed new workshop (re-submission of 20/01134/FUL)

1. Recommendations

1.1. Grant planning permission subject to:

- Conditions outlined at the end of this report.

2. Planning application description

- 2.1. The proposal is a resubmission of the previously approved planning application 20/01134/FUL, for the erection of a new workshop. The intended use of the workshop is for a car lift/ramp and associated works to vehicles.
- 2.2. There have been no material changes to the original approval.

3. Description of the site and surrounding area

- 3.1. The proposal is within Mallory Park, which is a motor racetrack complex, more than a hundred metres away from the public highway. The site is located on the edge of Kirkby Mallory, and consists of a racetrack, and various workshops. A large asphalt car parking area is also located within the site.

4. Relevant planning history

There is an extensive planning history on the site which will not be repeated here for brevity, however below are the most relevant former planning applications:

20/01134/FUL

Erection	of	proposed	new	workshop
Planning				Permission
31.01.2022				

5. Publicity

- 5.1. Neighbours were notified of the application via letter, and a site notice was placed within the vicinity of the site.
- 5.2. No neighbour comments have been received.

6. Consultation

- 6.1. Environmental Health: No objections to the proposal.
- 6.2. HBBC Conservation: No objections to the proposal.
- 6.3. LCC Highways: No objections to the proposal.
- 6.4. Kirkby Mallory, Peckleton and Stapleton Parish Council: No objections to the proposal.
- 6.5. LCC Ecology: No objections and no conditions recommended.

7. Policy

7.1. Core Strategy (2009)

- Policy 13: Rural Hamlets

7.2. 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 of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM19: Existing Employment Sites
- Policy DM24: Cultural and Tourism Facilities

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (GDG) (2019)
- National Design Guide (2019)

8. Appraisal

8.1. The application site is located outside of the settlement of Kirkby Mallory and is therefore classified as being located within the countryside. The site is an established employment site. The key issues in respect of this application therefore are:

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

Principle of development

8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) July 2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

8.3. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and states that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).

- 8.4. Desford is defined as a Key Rural Centre within the Borough of Hinckley. The Core Strategy sets out that Key Rural Centres are villages with populations over 1,500 and have a primary school, local shop, post office, GP, community facilities, employment opportunities, and a 6 day/week bus service. However, as set out above the site lies adjacent to but outside of the settlement boundary for the village. Therefore, the site lies within the countryside and Policy DM4 of the SADMP is applicable. Policy DM4 states that that the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:
- a) It is for outdoor sport or recreation purposes, and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - d) It relates to the provision of stand-alone renewable energy developments; or
 - e) It relates to the provision of accommodation for a rural worker
- 8.5. 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 the report.
- 8.6. The application proposal, whilst not in adherence with Policy DM4 is for the erection of a workshop, within an established employment site, and as such it is considered to be appropriate for the setting, subject to being in accordance with the wider SADMP policies and other material planning considerations, which will be assessed within this report.

Design and impact upon the character of the area

- 8.7. The development consists of a proposed workshop building, measuring 9.55m x 19.1m, consisting of dark blue plastic-coated sheeting, and is located adjacent to an existing workshop, within the wider complex.
- 8.8. The development is located as such to not be highly visible from public vantage points, but is however located within 80m of the Former Stables to Kirkby Hall, which is a Grade II listed building, dating from the 18th century. It has been confirmed by the HBBC Conservation Officer that, due to the distance between the site and the heritage asset, the presence of intervening built form and the lack of any significant historic or other relationship, the application site is not considered to be located within the setting of the listed building, and due to the form of the proposed development, it will not alter this relationship – as such there would be no material effect on the significant of the grade II listed building.
- 8.9. The building is therefore considered to have no impact on the character of the area or the nearby heritage asset, and would therefore be in accordance with Policies DM10, DM11 and DM12 of the SADMP.

Impact upon neighbouring residential amenity

- 8.10. The proposed location of the development within the site complex is not located within close proximity to neighbouring properties and as when considering the wide

operations of the site, is not considered to create detrimental impacts to neighbouring residential amenity,

- 8.11. The applicant has confirmed that the equipment used within the workshop shall relate to a car lift/ramp and would therefore have limited noise impacts; HBBC Environmental Health have confirmed they therefore have no objection to the proposal.
- 8.12. The development is therefore considered to be in accordance with Policy DM10 of the adopted SADMP.

Impact upon highway safety

- 8.13. The development of the proposed workshop is not considered to impede on any car parking afforded to the complex, nor is it considered that this development would have any impact on highway safety.
- 8.14. As such the development is considered to be in accordance with Policies DM17 and DM18 of the adopted 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 By virtue of the appropriate scale, layout, form, design and proposed construction materials, it is considered that the proposed development would comply with Policies DM1, DM4, DM6, DM10, DM11, DM12, DM17 and DM18 of the adopted Site Allocations and Development Management Policies DPD. The proposal can therefore be supported.

11. Recommendation

- 11.1 **Grant planning permission** subject to:
- Planning conditions outlined at the end of this report
- 11.2 **Conditions and Reasons / 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan (received 08/09/2025)
- Block Plan (received 11/08/2025)
- Existing, Proposed, Elevations, Floor Plans (received 11/08/2025)

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).

3. The materials to be used on the hereby approved unit shall match that described within the submitted application form, as part of this planning application.

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).

11.3 Notes to applicant

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.