

Delegated Report

Planning Ref: 25/00212/FUL
Applicant: Caterpillar UK Ltd
Ward: Newbold Verdon with Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: Caterpillar UK, Peckleton Lane, Desford, Leicester

Proposal: Construction of new steel-clad building and galvanised steel bridge

1. Recommendations

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

2. Description of application

- 2.1. The application seeks permission for the erection of a steel-clad building for heating, ventilation and air conditioning processing.
- 2.2. The main building will be 324m² (18m x 18m) with a 70m² (14m x 7m) lean-to on the side of the building, with a pitched roof on the main building, and proposed materials of merlin grey roof and wall cladding, with anthracite grey roller doors and flashings. Also proposed is a galvanised steel utility bridge connecting the utilities for new building from the main production building. All drainage will be connected to existing services currently in situ.

3. Description of the site and surrounding area

- 3.1. The application site is located within the existing Caterpillar site on Peckleton Lane, Desford. The site comprises of numerous buildings relating to the business. The proposed building would be located centrally within the site, 15m west of the main production building.

4. Relevant planning history

- 24/01022/FUL - Installation of cess tank within the Test Yard. Approved - 13.12.24.
- 23/00850/FUL - Construction of storage and recycling processes building - Approved 09.01.2024
- 22/00233/FUL - Installation of racking tower for holding vehicular items and items to be retrieved by forklift truck/ telehandler - Approved 08.09.2023
- 20/01181/FUL - Installation of external racking system - Approved 04.01.2021

5. Publicity

- 5.1. There are no neighbours in the vicinity, but a site notice was posted at the main access. No representations were received.

6. Consultation

- 6.1. No objections received from:
- LCC Highways

- Desford Parish Council (no comment)
- HBBC Waste
- HBBC Drainage
- HBBC Environmental Health (Pollution)

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres

7.2. 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 DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM19: Existing Employment Sites

7.3. Desford Neighbourhood Plan

- Policy H1: Settlement boundary

7.4. National Planning Policies and Guidance

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

8. Appraisal

Key issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Other matters

8.1 Paragraph 2 of the National Planning Policy Framework (NPPF) states 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.

8.2 Policy DM1 of the Site Allocations and Development Management Policies DPD (SADMP) sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay subject to other material planning considerations.

8.3 The relevant development plan documents in this instance consist of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).

- 8.4 Policy DM4 of the adopted SADMP states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. The Policy lists 5 primary criteria and proposals need to meet at least one of these criteria. A further 5 secondary criteria should then be met.
- 8.5 Policy DM19 of the SADMP seeks to retain sites classified as Category A in their entirety.
- 8.6 The building would be situated on existing hardstanding within a Category A employment site. Although the proposal does not fully meet any of the primary criteria contained within DM4 of the SADMP, the principle of use on this land has already been accepted and, as such, it would be considered sustainable development, compliant with Policy DM1 of the SADMP, and subject to fulfilling the design criteria of Policy DM4 of the SADMP.

Design and impact upon the character of the area

- 8.7 Policy DM4 requires that development proposals in the countryside do not have any significant adverse effects on the intrinsic value, beauty, open character and landscape character of the countryside. Policy DM10 of the adopted SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, design and materials.
- 8.8 The proposal seeks to erect a large steel-clad building within an existing and well-established employment site. The building would be surrounded by buildings of a similar and larger scale, and the additional scale and massing of the proposed building would have a negligible impact on the character of the site and surrounding countryside.
- 8.9 It is therefore considered that the proposal by virtue of its siting and design would not result in a detrimental visual impact upon the surrounding area and would accord with Policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 of the SADMP requires development to not adversely affect the amenities or privacy of the occupiers of neighbouring properties.
- 8.11 The development site is located within the countryside, however, the site is a large industrial site. The proposal has been reviewed by HBBC Environmental Health, and following the consultation response, they have no concerns. The proposal is not within the proximity of any neighbouring properties and as such would have no detrimental impact on neighbouring residential amenity in terms of loss of light, loss of privacy, overbearing impacts or noise impacts. As such it is considered that the proposal is in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.12 Policy DM17 of the SADMP states that all new development should be in accordance with the highway design standards. Policy DM18 requires all development to provide appropriate parking provision.

- 8.13 The submitted application form states no additional employees would be recruited because of the proposals. In addition, the submitted Planning Statement details the proposals will have no impact on traffic entering the site and no impact on parking provision within the site. Based on this evidence and given the scale / nature of the proposed building there would appear to be no material impact on the public highway and therefore the Local Highway Authority has no further comments to make.
- 8.14 Therefore, it considered that the development would accord with Policies DM17 and DM18 of the SADMP.

Other Matters

- 8.15 Regarding ecological impact and BNG requirements, the site is an existing area of hardstanding which has no ecological value, and there is no requirement to provide biodiversity net gain when there is a base level of zero.

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 The proposed development is acceptable in principle and is sited within a large established industrial employment site. The proposed building having regard to its siting, location, design and appearance, is not considered to result in adverse harm to the surrounding countryside, would cause no harm to neighbouring amenity, and would have no material impact upon the existing highway. Therefore, the proposal is considered to accord with Policies DM1, DM4, DM10, DM17 and DM18 of the SADMP.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

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

- Site location plan
- Proposed Site Plan
- Proposed elevations – Dwg No. SSB_ELEV_00

All received 06/03/2025

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used for the construction of the building hereby approved shall accord with the details included within the approved Proposed Elevations (Dwg No. SSB_ELEV_00 - received 06/03/2025).

Reason: To ensure that the building has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).