

Delegated Report

Planning Ref: 25/00751/FUL
Applicant: Druck Ltd
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: Unit F, G.E. Sensing, Fir Tree Lane, Groby

Proposal: Erection of a dry storage building

Case Officer: Ashleigh Gade (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 application seeks full planning permission for the erection of a dry storage building at Unit F, G.E. Sensing, Fir Tree Lane, Groby.
- 2.2. The proposed storage building has a width of 9.9 metres and a depth of 4.85 metres, with a total footprint of 48.015 square metres.
- 2.3. The proposed storage building has a mono-pitch roof with a maximum height of 3.35 metres. It is to be clad in fire-resistant cladding, a mixture of light grey metal cladding and transparent panels on both the walls and the roof.
- 2.4. The proposed building is fully enclosed on its side and rear elevations and semi-enclosed on the front elevation which faced the private internal access road.
- 2.5. The proposed building is located 1.45 metres south-east of an existing building within the larger employment complex and adjacent from the site's delivery bay, separated by the internal road.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within an employment site within the settlement boundary of Groby. The application site is located to the east of Unit F within the Groby Trading Estate industrial estate.
- 3.2. The application site comprises an area of hardstanding with line marking for car parking spaces that currently contains a temporary rectangular marquee tent utilised for the storage of items recently delivered to the site.

- 3.3. The site is located on the north-western side of a private road internal to the employment site. The wider Groby Trading Estate site, known also as the Druck Ltd site, gains access from Fir Tree Lane, east of the application site. Fir Tree Lane is an adopted and unclassified road subject to a speed limit of 30mph.
- 3.4. The site is directly adjacent to an existing large building within the employment site, located to the north-west, and is sited adjacent the delivery bay for the site across the private internal road to the east.
- 3.5. The nearest properties to the application site outside of the Groby Trading Estate are residences on Shaw Wood Close. The nearest of these residences is located approximately 12 metres south-west of the application site.

4. Relevant Planning History

Nil.

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents.
- 5.2 No responses have been received.

6. Consultation

- 6.1 Hinckley and Bosworth Borough Council (HBBC) Environmental Services had no objection to the proposal.
- 6.2 Groby Parish Council had no objections in principle but raised concerns for residents of nearby properties and requested noise abatement measures, particularly if the storage building will be in use outside normal working hours.

7. Policy

- 7.1 Core Strategy (2009):
- Policy 7: Key Rural Centres
- 7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):
- Policy DM1: Presumption in Favour of Sustainable Development
 - 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
 - Policy DM19: Existing Employment Sites
- 7.3 National Planning Policies and Guidance:

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

7.4 Other relevant guidance:

- HBBC Good Design Guide (2020)
- Employment Land and Premises Study (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. The key issues in respect of this application are:

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Assessment Against Strategic Planning Policies

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.
- 8.3 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.
- 8.4 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF.
- 8.5 Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Nevertheless, in accordance with Paragraph 232 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the NPPF.
- 8.6 The Core Strategy identifies the settlement of Groby as a Key Rural Centre. Policy 7 of the Core Strategy states that the Council ensure there is a range of employment opportunities within the Key Rural Centres. To support this, the enhancement of allocated employment sites will be supported.
- 8.7 Policy DM19 of the SADMP states that the Borough Council will seek to retain employment sites classified as Category A in their entirety for B1, B2 and B8 uses. The development of non-B Class uses in Category A sites will only be allowed in

exceptional circumstances and proposals must demonstrate that they would not have a significant adverse impact on surrounding employment uses.

- 8.8 The application site is located within the Groby Trading Estate which is identified as a Category A existing employment site within the SADMP and within the Council's Employment Land and Premises Study.
- 8.9 The proposal makes no alterations to the existing use of the site and would be ancillary to the existing Class B operations. It is therefore considered that the principle of development is acceptable in accordance with Policy DM19 of the SADMP.

Design and Impact upon the Character of the Area

- 8.10 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.11 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.
- 8.12 The proposed storage building has a mono-pitch roof and is to be enclosed with fixed cladding on three elevations and have sliding transparent panels on its front elevation. The external cladding is to comprise both light grey metal cladding and transparent panels on the walls and roof. The dimensions of the building measure 9.9 metres by 4.85 metres and the building has an overall height of 3.35 metres.
- 8.13 The proposed building is modest in scale compared to buildings in its surrounds and is visually subservient to the large employment buildings to which it is adjacent. The external finishes of the structure are consistent with those of an existing storage building adjacent the development site across the internal roadway, alongside the delivery bay.
- 8.14 The proposed building would replace an existing temporary marquee tent on the site which is wider and taller than the proposed building with a coloured canvas finish. In light of this, it is considered that the proposed building is likely to improve the visual character of its immediate setting as compared to the existing context.
- 8.15 The proposed building is to be located on an existing area of hardstanding and will not result in the loss of any existing vegetation.
- 8.16 It is therefore considered that the proposal will respect the character of its surrounds within the wider employment site and enhance the immediate area of the application site in accordance with Policy DM10 of the SADMP.

Impact upon Residential Amenity

- 8.17 Paragraph 135(f) of the NPPF requires that planning decisions ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 8.18 Policy DM10(a) and (b) of the SADMP state that 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.
- 8.19 The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.
- 8.20 The proposed building would be located approximately 14 metres from the nearest residential property on Shaw Wood Close. A total of 4 dwellings along Shaw Wood Close are within 40 metres of the application site.
- 8.21 The nearby residential properties are at a higher ground level than the application site and views to and from the site are influenced by topography and limited by existing boundary fencing to the rear of the dwellings. It is therefore considered that the proposal would not result in any overlooking or loss of light to neighbouring properties.
- 8.22 The proposed building would be used for the storage of incoming deliveries from the adjacent delivery bay. The nature of this storage is typically of small to medium boxes and equipment in the form of small technical parts pieces. None of the items stored are chemical or otherwise hazardous in nature, nor would their storage generate noise.
- 8.23 It is anticipated that noise impacts arising from the proposal would be limited to the movements of forklifts along the internal roadway and then entering and exiting the building to place items for storage. These movements have been occurring on the site for approximately 2-3 years in this location, under the cover of the temporary marquee tent.
- 8.24 The proposal would not increase the frequency of existing internal movements to the application site, and all movements would occur during regular operating hours of the site. Furthermore, the proposal would replace an existing lightweight tent structure with solid external cladding materials which are likely on balance to reduce the emission of noise.
- 8.25 HBBC's Environmental Health (Pollution) Officer raised no objections to the scheme.
- 8.26 Further, it is noted that no objections to the proposal were received from neighbouring properties.

- 8.27 It is therefore considered that the proposal would not have an adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Parking Provision and Highway Safety

- 8.28 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.29 Ultimately, 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, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.30 To support this, 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 DM18 of the SADMP requires that new development provide an appropriate level of parking provision.
- 8.31 All proposals for new development should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority. Currently, this is the Leicestershire Highway Design Guide (LHDG) (2024).
- 8.32 The application site is located on existing hardstanding which is line-marked for the parking of four cars. The proposal would result in the loss of these four parking spaces.
- 8.33 The Applicant has confirmed that these four parking spaces were identified during a site health and safety review as being at risk of conflict with the high use of the area by employees during operating hours. As a result of this review, the car parking spaces were internally removed from the parking allocation for risk management purposes.
- 8.34 Based on information from the Applicant and a review of aerial imagery of the site, it can be concluded that the area within the application site has not been used for parking for the last 3-4 years.
- 8.35 The wider site retains 266 car parking spaces. The internal areas of the site are for employee use only and visitors park separately in defined parking spaces accessed from Fir Tree Lane prior to the official secure entrance to the estate.

- 8.36 It is therefore considered that the proposal would not result in an unacceptable loss of car parking spaces nor create an unacceptable impact on highway safety or the road network, consistent with Policies DM17 and DM18 of the SADMP and the requirements of the LHDG.

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 be granted, subject to the imposition of appropriate conditions and obligations.

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 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:

- Elevations, Proposed Floor Plan, Site Location, Site Plan, Drg No. 03

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

3. The materials to be used on the external elevations shall accord with the approved plans and the information within the application form.

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).

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 building.control@blaby.gov.uk or call 0116 272 7533.