**DELEGATED REPORT**

**Recommendation Made: 24 April 2009**

**Reference:- 09/00174/FUL** **Parish:- Barwell Parish Council**

**Applicant:- Mr Colin Sanders**
**True Lens Services**
**20 Bank Terrace**
**Barwell**
**Leicester**

**Location:- 19 - 20 Bank Terrace Barwell Leicester Leicestershire LE9 8GG**

**Proposal:- ALTERATIONS TO PREMISES.**

**Introduction:-**

This application seeks full planning permission for external and internal alterations to an existing industrial building. The external alterations include the insertion of additional ground floor windows and doors, including a relocated roller shutter type door and the replacement of cement fibre corrugated sheet panels with infill facing brickwork. The alterations relate to the eastern side elevation facing the parking courtyard and Saffron Court, an elderly persons residential complex, beyond. There are no proposed extensions to the existing building. An amended plan has been submitted to address proposed amendments to the western side elevation that faces the adjacent industrial building.

The building is located on an employment site to the north east of, and close to, the centre of Barwell. There are other industrial buildings to the north, west and south. The applicant already owns and occupies 20 Bank Terrace to the south and has bought 19 Bank Terrace to expand their operation. The business is one of light engineering and precision engineering and assembly, such as camera lenses etc.

Conditions on a previous planning permission (96/00785/FUL) have restricted the use of the premises to Class B1(b) or(c) of the Use Classes Order 1987 and the hours of use of the premises to between 7am – 7pm Monday to Friday and 8am to 1pm Saturdays and at no time on Sundays or Public Holidays.

**History:-**

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| 99/00943/COU | Continued Use of Premises for B2 (General Industrial) Use | Refused | 08.12.99 |
| 99/00096/BOC | Enforcement Enquiry | Closed | 17.01.00 |
| 98/00943/FUL | Retention of Covered Storage Area | Approved | 24.12.98 |
| 96/00785/FUL | Extension to Industrial Unit | Approved | 05.11.96 |

**Consultations:-**

No objections have been received from Head of Community Services (Land Drainage)

Head of Community Services (Pollution) does not object to the application and has confirmed that no recent incidents have been reported concerning nuisance from operation of the current premises at 20 Bank Terrace or the application premises.

Director of Community Services (Ecology) does not object but recommends that a watching brief be maintained for any protected species throughout the development.

Barwell Parish Council do not object in principle but suggest cycle and motor cycle parking provision should be made within the site.

No response has been received at the time of writing this report either from the site notice or neighbours.

**Development Plan Policies:-**

BE1 – Design and Siting
EMP1c – Employment Site (Works off Bank Terrace)
T5 – Highway Design and Vehicle Parking Standards

**Appraisal:-**

The main issues in respect of this application are the impact of the alterations on the visual appearance and character of the building and the impact of the additional doors and windows on the occupiers of Saffron Court.

The proposed external alterations are on the side elevation facing the parking courtyard and would not therefore be prominent within the street scene. The replacement of the cement fibre corrugated sheet panels on the side elevation with facing brickwork to match the existing materials would improve the external appearance of the building. It would also improve the noise insulation of the building.

The relocation of the roller shutter type door and insertion of additional windows would not have an unduly detrimental impact on the amenities of the occupiers of Saffron Court either in terms of its visual appearance which would be improved, or in terms of any additional disturbance or overlooking given the existing use of the area as a parking and servicing courtyard and the separation distance of 18 metres between the buildings. The small area of communal landscaping around this side of Saffron Court does not appear to provide any useable amenity space but serves more for visual amenity.

The internal alterations to the layout including the division of the building by partition walls into more numerous, smaller rooms may also help to reduce the transfer of any potential noise that may be created within the unit. However the existing business has operated without record of any complaints from neighbours and this is considered unlikely to be a problem.

Barwell Parish Council comment that cycle and motor cycle parking provision should be made within the site. This is available within the site if required but is informal rather than formalised. However, there is no extension to the existing building to justify a requirement to increase parking provision, the application being for alterations to, and visual improvement of, the existing external structure.

**RECOMMENDATION :- Permit subject to the following conditions :-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan as it would enhance the visual appearance of the existing building and general surroundings and would not have an adverse effect on the amenities of the occupiers of neighbouring properties or on highway safety.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1 and T5

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2 This permission relates to the application as revised by amended plan Nos. 01-001 Rev A and 01-002 Rev A received by the Local Planning Authority on 24th April 2009.

3 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing building unless previously agreed in writing with the Local Planning Authority.

**Reasons :-**

1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2 To define the permission.

3 To ensure that the development has a satisfactory external appearance to accord with policy BE1 of the adopted Hinckley & Bosworth Local Plan.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3. As from 6th April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4. The applicant's attention is drawn to condition 6 of planning permission No. 96/00785/FUL relating to the hours of use of the premises which are limited to between the hours of 7.00am and 7.00pm Mondays to Fridays and between the hours of 8.00am and 1.00pm Saturdays and at no time on Sundays or Bank Holidays.

5. List of Plans used in the determination of the application:- Location and Site Plan Drawing No. 00-001; Existing Plans and Elevations Drawing No. 00-001 Rev A and Proposed Plans and Elevations Drawing No. 00-002 Rev A.

**Contact Officer:- Richard Wright Ext 5894**