COMMITTEE EXTRACT

Committee Date: 16 December 2008

Reference:- 08/00824/FUL **Parish:- Market Bosworth Parish Council**

Applicant:- Mr T.Clinton
Clinton
Unit 3
Station Road Industrial Estate
Station Road

Location:- Clinton Unit 3 Station Road Industrial Estate Station Road Market Bosworth

Proposal:- DEMOLITION OF EXISTING BUILDING AND ERECTION OF 3 NO. LIGHT INDUSTRIAL UNITS

Introduction:-

This is a full application for the erection of three replacement industrial units on Unit 3, Station Road Industrial Estate, Market Bosworth.

The site is located within an established employment area for B1, B2 or B8 uses, although there are residential properties to the east of the site which front onto Station Road.

The rectangular shaped building is to be constructed in facing brickwork, with cladding panels and on a similar footprint to the existing building. The existing brick building has a ridge roof of corrugated sheeting with a 6.7 metres maximum height to the ridge. The roof of the proposal building has a shallow ridge roof at the same maximum height as the existing building. Amended plans have been received which provide the altered roof shape mentioned above with eaves to the eastern and western elevations, together with plans which show wider accesses into the site and low planting to protect visibility and general highway safety.

The height of the existing eaves is 3 metres to the eastern elevation and 4.6 metres to the western elevation, the proposed new building has uniform eaves of 6 metres in height.

The Design and Access Statement submitted with the application states that the existing building, due to its age and construction, is becoming unsustainable, having poor insulation resulting in a high carbon index and is difficult and costly to improve. The size of the existing building is restrictive for the expanding business necessitating relocation to a larger , more suitable premises. The replacement of the building with a more modern, sustainable development would make better use of the existing site. In order to maintain the separation distances to the neighbouring dwellings, and provide the necessary servicing and parking provision, the new building has been designed to follow the footprint of the existing building and be the same maximum overall height.

A protected species survey has been conducted and submitted with the application.

History :-

None relevant.

Consultations:-

No objections subject to conditions received from:-

Director of Highways Transportation and Waste Management (Highways)
Head of Community Services (Land Drainage)
Head of Community Services (Pollution).

Market Bosworth Parish Council has no objections.

Development Plan Policies:-

The site is located within the settlement boundary and existing employment site within Market Bosworth as identified in the adopted Hinckley and Bosworth Local Plan.

Policy EMP1 considers existing employment sites. The designation of the industrial estate in the local plan was originally EMP1 (b), which aims to retain acceptable sites for employment purposes, while judging proposals for other employment activities or alternative uses on their merits. The Borough Council commissioned a consultancy group to undertake an employment land and premises study. The outcome of the study recommended that Station Road Industrial Estate should be moved to EMP1 (a) classification within the Local Plan. This class seeks to retain the site for employment purposes.

Policy BE1 seeks to ensure that new development complements and enhances the surrounding area and not adversely affect adjacent premises/occupiers.

Policy T5 refers to the application of appropriate highway design standards and parking targets for development unless a different level of provision can be justified.

Appraisal:-

The main considerations in relation to the proposal are the principle, layout, design and impact on the neighbouring dwelling.

Principle of Development

The proposed development lies within an established employment site and therefore accords with local plan policies.

Layout and Design

The layout consists of a single rectangular block of three attached units similar in footprint to the existing building. The windows, doors and roller shutters to the units are all located on the western elevation of the building, which faces the service road. The flat roofed design is of the same maximum height as the ridge of the existing building on site. The amended plans provide a slightly more rounded roof shape, this will help to provide a more interesting elevation within the street scene without being particularly prominent as it is set back from the highway by approximately 23 metres. The applicant proposes that the cladding will be coloured grey.

Impact on Neighbouring Dwelling

The layout and footprint of the proposal is similar to the existing layout. The side elevation of the nearest dwelling (No 275 Station Road) is some 8 metres away from the eastern elevation of the proposal. One first floor window is located on the side elevation facing the site however this does not appear to serve a habitable room. There are no openings proposed on the eastern elevation.

The proposed building will extend along the rear garden of No. 275, on the same footprint as the existing building. The boundary treatment currently consists of a 2.4 metre high chain link fence.

The eaves height on the existing eastern elevation is 3 metres, the proposal increases the eaves height to 6 metres. Whilst having significantly higher eaves, the proposal is not considered to be over-bearing due to the separation distance between the neighbouring dwelling and the development.

Other Issues

The ecology survey found no evidence of bats inhabiting the roof space of the existing building.

The Highway Authority has commented that the service road is not a highway and therefore usual highway conditions have not been recommended. However, in the interests of public safety it is

recommended that the gates to each unit be widened in order to allow two vehicles to pass. In addition, the proposed hedge / planting across the sites frontage to the service road should be omitted as it will totally obscure visibility to and from emerging vehicles. These matters can be dealt with by way of conditions.

The existing junction / access onto Station Road is poor in terms of its failing construction in places and obvious overriding of verges by heavy vehicles. As this is not indicated as being within the applicants control however and as the Highway Authority are not in a position to demonstrate the redevelopment of the site will generate a material increase in traffic visiting the site, it considers that improvements to the junction are not achievable / justifiable in this instance.

Conclusion

It is considered that the proposal does not create a detrimental impact on the amenities of that dwelling in terms of overshadowing. Landscaping can be provided along the eastern boundary to mitigate the impact of the development further. Subject to conditions, the proposal is therefore considered to be acceptable.

RECOMMENDATION :- Permit subject to the following conditions :-

Summary of Reasons for Recommendation and Relevant Development Plan Policies :

Having regard to representations received and the 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 by virtue of its siting, location and design would be in accordance with the development plan.

Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, EMP1 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 Job 108 Drawing 3C received by the Local Planning Authority on 27th November 2008.

3 Before any works commence, representative samples of the types and colours of the materials to be used on the external elevations of the proposed buildings shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved material.

4 Notwithstanding the submitted plans, no development shall take place until full details of both hard and soft landscaping works, including implementation timetables, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

5 The approved hard and soft landscaping scheme shall be carried out in accordance with the approved details. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs, which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

6 There shall be no storage of any description on the open areas of the site

7 Before the development hereby permitted is first used, cycle parking provision and off-street parking shall be provided within the application site as shown on the submitted details. The areas shall be surfaced, marked out prior to the development being brought into use and shall be so maintained at all times.

8 No development approved by this permission shall be commenced until a scheme for the investigation of any potential land contamination on the site has been submitted to and agreed in writing by the Local Planning Authority which shall include details of how any contamination shall be dealt with. The

approved scheme shall be implemented in accordance with the agreed details and any remediation works so approved shall be carried out prior to the site first being occupied.

9 If during development, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the Local Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out prior to the site first being occupied.

10 Surface water runoff from access roads, parking turning loading and fuelling areas shall be routed through suitably sited fuel/oil separators before discharging to receiving waters.

11 Notwithstanding the submitted plans, a scheme for the provision of the accesses and gates shall be submitted to and approved in writing by the Local Planning Authority and the scheme shall be implemented in accordance with the approved details prior to first use of the proposed development.

Reasons :-

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

2 For the avoidance of doubt.

3 & 4 To enhance the appearance of the development to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

5 To ensure that the work is carried out within a reasonable period and thereafter maintained to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

6 To ensure the site does not deteriorate into an untidy condition to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

7 In the interests of road safety to accord with policy T5 of the adopted Hinckley and Bosworth Local Plan.

8 - 10 To ensure the site can be safely developed to accord with policy BE1 of the adopted Hinckley and Bosworth Local Plan.

11 To ensure that adequate accesses in terms of width and visibility are available, in the interests of road safety to accord with policy T5 of the Hinckley and 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 In relation to condition advice from Health and Environment Services is attached to this decision notice which includes the Borough Council's policy on the investigation of land contamination. Any scheme submitted shall be in accordance with this policy.

5 List of plans used in the determination of this application:-

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6 On the basis of the submitted plans, it would appear that the site does not have a common boundary with the adopted highway on Station Road. The Applicant should demonstrate that a right of access into the site exists.

Contact Officer:- Louise Forman Ext 5682