DELEGATED REPORT

Recommendation Made: 22 December 2008

Reference:- 08/01018/FUL **Parish:-** Burbage Parish Council

Applicant:- Mr Cayless
1 & 2 Brookfield Road
Burbage
Hinckley
Leicestershire

Location:- Liberty Land Ltd Units 1 To 2 Brookfield Road Burbage Hinckley

Proposal:- ERECTION OF REPLACEMENT TWO STOREY OFFICE/CARSHOWROOM BUILDING AND ERECTION OF BOUNDARY FENCING

Introduction:-

This is a full application for the demolition of an existing single storey office building used in connection with a car sales business and its replacement with a two storey building with monopitch roof providing a car showroom to the ground floor and offices etc to the first floor. In addition, the application includes for the erection of steel tube boundary fencing above an existing wall at the junction with Rugby Road, which has already been erected to protect stock following acts of vandalism.

The triangular site is located within an established employment site at the junction of Rugby Road and Brookfield Road and backs onto the railway line, which stands at a much higher ground level on an embankment. The existing offices are set well back from the highway at the rear of the site and are of concrete panel construction (painted blue) and with an arched corrugated cement fibre roof. The whole of the forecourt area is used for car sales.

Consultations:-

No objections have been received from:-

Burbage Parish Council
Head of Community Services (Pollution)
Head of Community Services (Land Drainage)

No objections have been received subject to conditions from Director of Highways, Transportation and Waste Management (Highways).

Director of Community Services (Ecology) refers to Trigger Point J (Watching Brief) in respect of the demolition of the existing offices and the potential presence of protected species (Bats and Nesting Birds).

Neighbours notified, one letter received raising concerns about the height of the proposed building and the potential loss of uninterrupted views, privacy and amenity.

No response has been received at the time of writing this report from Network Rail.

Development Plan Policies:-

BE1 - Design and Siting
EMP1(a) - Existing Employment Site
EMP2 - Expansion of Employment Uses
T5 - Highway Design and Vehicle Parking Standards

Appraisal:-

The site is within a large mixed-use commercial/industrial area and has been used for car sales for a considerable time. The existing offices are unremarkable and somewhat dated and too small to serve the purposes of the applicant who requires a secure showroom in addition to the sales forecourt to house more valuable cars.

The main issue in respect of this application is the appearance of the proposed building within the street scene. Whilst the offices are once again to be set well back from the highway towards the rear of the site, the design of the building is somewhat unusual with a monopitch roof and this feature will be highly visible from Rugby Road. A more traditional design with dual pitched roof would reduce the overall height of the building to ridge whilst losing no internal floor space and would provide a gable to the front of the building facing Rugby Road. Such amendments to the design would necessitate the advertisement facing Brookfield Road (separate application No 08/01024/ADV) to be relocated between the ground and first floor windows on that elevation and would reduce the buildings prominence when viewed from Rugby Road. Amended Plans have been received to address these issues and to include the boundary fencing already erected. The boundary fencing is not intrusive within the street scene.

The nearest residential properties are the other side of the railway embankment. The neighbour who has responded is approximately 90 metres from the proposed office building on the other side of the railway embankment and is at an angle to it. The proposal will not impact on any residential privacy or other amenities. There are no first floor windows facing the embankment.

Whilst no response has been received from Network Rail, the proposal will not impact on the railway track or the embankment.

A standard note to applicant has been included in the recommendation in respect of protected species.

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 the proposed office/car showroom is located within an existing commercial site and will not be detrimental to the character or appearance of the area, to any residential amenities or to highway safety.

Hinckley & Bosworth Borough Council Local Plan (2001):- BE1, EMP1(a), EMP2 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. 005a and 006 received by the Local Planning Authority on 18th December 2008.

3 Before any development commences, representative samples of the types and colours of materials to be used on the external elevations of the proposed Offices/Car Showroom shall be deposited with and approved in writing by the Local Planning Authority, and the scheme shall be implemented in accordance with those approved materials.

4 Before first use of the development hereby approved, the three staff car parking spaces shown on amended plan No. 005a shall be marked out and once provided shall remain permanently available for such use at all times thereafter.

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.

4 To ensure that adequate off-street parking facilities are available 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.

Contact Officer:- Richard Wright Ext 5894

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