DELEGATED REPORT

Recommendation Made: 13 October 2011

Reference:- 11/00754/FUL **Parish:- Markfield Parish Council**

Applicant:- Mr Anil Dhir
15 Jackson Close
Bagworth
Leicestershire
LE67 1HL

Location:- 32 Shaw Lane Markfield Leicestershire LE67 9PU

Proposal:- EXTENSIONS AND ALTERATIONS

Introduction:-

This application seeks full planning permission for the erection of a single storey extension to the side of this existing motor dealership. The motor dealership is located within the open countryside and the Charnwood Forest.

The motor dealership is split into two component parts, the first of which is the main car showroom constructed from brick and glazing (the brick is finished in a grey smooth render) with a metal profiled roof and the secondary showroom area is constructed from UPVC and glazing and is essentially a conservatory. The application proposes the demolition of the conservatory and its replacement with a larger structure.

An amended block plan was received on 12 October 2011 showing the proposed parking layout for the site and land registry plans showing the extent of land in the applicant's ownership and that the applicant has a right of access over the land.

Relevant Planning History

05/00101/FUL EXTENSION TO CAR SHOWROOM
06/00842/FUL DEMOLITION OF EXISTING WOODEN BUILDING, AND ERECTION OF WORKSHOP WITH ASSOCIATED PARKING AND ACCESS
06/01268/FUL DEMOLITION OF EXISTING WOODEN BUILDING, AND ERECTION OF WORKSHOP WITH ASSOCIATED PARKING AND ACCESS

Consultations:-

No objections have been received from:-

Head of Community Services (Land Drainage)
Head of Community Services (Pollution)
Director of Environment and Transport

No comments have been received at the time of writing this report from:-

Markfield Parish Council
Ward Members
National Forest Company
Friends of Charnwood Forest
Site Notice
Neighbours

Development Plan Policies:-

Adopted Core Strategy:-

Policy 22- Charnwood Forest

Adopted Local Plan:-

BE1- Design and Siting of the Development
NE5- Development in the Countryside
EMP2- Expansion of Existing Employment Uses

Appraisal:-

The main considerations in respect of this application are the principle of development, the impact of the proposed extension upon the character and appearance of the existing building and countryside and on the amenities of the occupiers of neighbouring properties and land uses.

Principle of Development

The site is located in the open countryside where there is a presumption against new development. However, policy NE5 of the HBBC Local Plan states that built development within the countryside is acceptable if it is for the extension of an existing building and providing that it is in keeping with the scale and character of existing buildings and it doesn't have an adverse effect on the appearance/character of the landscape.

The proposed development will be an extension to the existing motor dealership and will be screened by a 2m high hedge along the western boundary. Although discussed in more detail in the subsequent paragraph of this report, the proposed extension in terms of its design and scale is considered to be subservient to the main showroom building. It should also be noted that the proposed extension will replace the existing conservatory that is attached to the main showroom building. The development will also ensure the expansion of an existing employment use in the countryside. The proposed development is for additional showroom space to an existing motor dealership (employment use) and is therefore considered to be acceptable in principle.

Impact on Existing Building and Countryside

The proposed extension will have a flat roof design and will replace the existing conservatory which is attached to the southern elevation of the main showroom building. In terms of its height the proposed flat roof extension will be level with the eaves of the main showroom building, at a maximum height of 2.55 metres. Although the extension will be 3.81 metres wider and marginally deeper (0.135m) than the conservatory it is proposed to replace it will be set in from the main showroom building by 1m along the eastern elevation. This ensures that the extension appears subservient in scale to the main dealership building. The proposed materials of construction are rendered walls with large section of glazing to reflect the appearance of the main showroom building. Given its relatively low roof height set level with the eaves, the materials of construction (to match the existing showroom) and the subservient scale of the extension, the proposed development is not considered to have an adverse impact on the character and appearance of the main showroom building and is therefore acceptable in design terms. Whilst the inclusion of a flat roof is not considered to be a positive addition to the appearance of the car dealership, the proposed elevations show that the applicant has put forward proposals to screen the flat roof behind fascia boards which will be subject to separate advertisement consent. The requirement for separate advertisement consent will be communicated by way of note to the applicant.

It should be noted that the proposed extension will be set back from Shaw Lane (A511) by 20m and is only visible within the highway when a vehicle or pedestrian is level with either the exit or entrance to the site when travelling in a westerly direction towards Markfield. Views of the motor dealership are available when travelling in an easterly direction towards Coalville when a vehicle or pedestrian is level with the exit of the petrol station or level with the access to 15 Shaw Lane sited 70m to the south east. However these views from the south east are somewhat obscured by the forecourt canopy to the petrol station which is sited immediately to the east of the motor dealership. To the south east the proposed extension will be screened by 26 Shaw Lane and to the south west and west by the 3m high hedge along the party boundary with 36 Shaw Lane. Given its

position, set back from the highway footpath, the existence of natural and built screening along the eastern and western boundaries and the subservient scale of the extension, the proposed development is not considered to be detrimental to the character and appearance of the open countryside or the wider character of the Charnwood Forest.

Impact on Neighbours

The proposed extension projects closer to the party boundary with 36 Shaw Lane to the west. However, due to the existence of a 3m high hedge and trees along this boundary the proposed extension is not considered to give rise to loss of amenity to the occupants of 36 Shaw Lane through overshadowing or overbearing impact. The extension will be used as additional office space and as a car showroom, neither of which are uses that generate amenity issues such as excessive noise or disturbance. Furthermore these spaces will be in use during working hours only, thereby meaning that no loss of residential amenity to the occupants of 36 Shaw Lane through noise or disturbance is expected.

In terms of the potential conflict with the working petrol forecourt which shares the same site and access arrangements, the proposed extension will not encroach into the operational area of this business, nor will it displace car parking spaces which would have to be accommodated elsewhere within the site. Therefore the proposed extension is not considered to conflict with the operational requirements of the petrol station to the east.

Highway Matters

The amended plan received on 12 October 2011 shows that the existing car parking for both customers and fleet storage vehicles (51 spaces in total) and the access arrangements will remain unchanged. The proposed extension will not displace car parking which would have to be accommodated elsewhere in the site. The Director of Environment and Transport (Highways) has raised no objections to the proposed development.

Conclusion

The proposed extension by virtue of its siting, scale, design and materials is considered to be in keeping with the character and appearance of the main car dealership building and to the open countryside and is considered to respect its setting within Charnwood Forest. The proposed development will ensure the retention of an existing employment use within the countryside and would not result in loss of residential amenity to neighbouring properties or conflict with the operational requirements of neighbouring land uses or be harmful to pedestrian or highway safety. The application is therefore recommended for approval subject to conditions.

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, by virtue of its siting, design, scale and use of materials the proposed extension is not considered to be harmful to the character and appearance of the open countryside or to its setting within Charnwood Forest. The proposed development would not detrimentally impact upon residential amenity or highway safety or conflict with the operational requirements of neighbouring land uses.

Hinckley and Bosworth Council Local Plan (2001):- BE1, NE5 and EMP2

Hinckley and Bosworth Council Local Development Framework Core Strategy (2009):- Policy 22

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: 1104-05, 1104-06 received on 29 September 2011 and 1104-07A, Land Registry Plan received on 12 October 2011.

3 The materials to be used on the external elevations of the proposed extension and alteration shall match the corresponding materials of the existing motor dealership 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 For the avoidance of doubt and in the interests of proper planning.

3 To ensure that the development has a satisfactory external appearance to accord with policies BE1, NE5 and NE19 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 6 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 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

5 Drawing 1104-06 shows the provision of a fascia board and advertisements to the roof area of the proposed extension. You are advised that separate advertisement consent is required for these works and such an application will be considered on its own merits.

Contact Officer:- Scott Jackson Ext 5929