DELEGATED REPORT

Reference:- 11/00622/FUL **Parish:- Hinckley**

Applicant:- Mitchells & Butlers Retail Ltd
27 Fleet Street
Birmingham
West Midlands
B3 1JP

Location:- 68 Roston Drive Hinckley Leicestershire LE10 0UQ

Proposal:- ALTERATIONS TO SMOKING SHELTER AND SITING OF EXTERNAL COLD STORE

Introduction:-

This application seeks full planning permission for alternations to a smoking shelter and the siting of an external cold store at The Flintlock Public House, Roston Drive Hinckley.

The site is within the settlement boundary of Hinckley and is located on a corner plot. There are various commercial buildings to the east (including a vets) and north (including Sainsbury's) and residential properties opposite on Clifton Way, Roston Drive and Riddon Drive. There are car parks to the east and west of the public house (owned by the pub) and an amenity area to the front with seating.

The application has been submitted with a Planning Statement, a Landscaping Statement and a Parking Statement

Relevant Planning History: -

08/00839/FUL	formation of two new windows and new external cold store and deliveries yard	Approved	01.10. 08
07/00501/FUL	Extension of existing porch over main entrance to create additional covered patio	Approved	21.06. 07

Consultations:-

No objections have been received from: -
Head of Community Services (Pollution)
Head of Community Services (Drainage)

No comments have been received from:-

CAMRA
Neighbours

Development Plan Policies:-

Policy 1 – Development in Hinckley

Adopted Local Plan

Policy BE1: 'Design and Siting of Development'

Policy T5: 'Highway Design and Vehicle Parking Standards'

Appraisal:-

The main considerations in respect of this application are the principle of development, design and appearance, highway safety, and other issues.

Principle of Development

The site is located within the settlement boundary of Hinckley, as defined by the Adopted Hinckley and Bosworth Local Plan Proposals Map; therefore there is a presumption in favour of development subject to all other planning matters being appropriately addressed.

Design and Appearance

To the side (eastern) elevation of the building a new cold room with projecting canopy and a timber fence surround is proposed. This will be sited adjacent to a single storey projection to the rear of the building. This will replace an existing bin store, which is enclosed by a timber fence. The proposal is similar to previously approved scheme 08/00839/FUL, which permitted a larger enclosure to that proposed by this scheme.

The cold room will comprise a small modular building with a square footprint. A timber pergola with polycarbonate roof will project in a southern direction, providing a covered access to the nearby entrance to the building. Both structures will be screened (aside from their roofs) by the timber enclosure proposed. The enclosure will project roughly 2.2 metres from the building and will extend for approximately 4.6 metres. The enclosure will be set back approximately 28.3 metres from the principle elevation of the building.

Although the design and construction of the cold store and canopy would not normally be encouraged (due to its bland, prefabricated nature), as it will be set well back from the highway and enclosed by timber fencing, it will be largely screened and will not be prominent within the street scene. In respect of the timber fencing enclosure, this would not normally be a common feature adjacent to a public house, however, the enclosure is of a lesser scale than that previously approved by application (08/00839/FUL) and will screen the more unsightly cool store, which is needed for the operation of the public house. Due to the citing of the proposal, there is no chance that both schemes could be implemented simultaneously.

To the front of the pub, the existing canopy which forms the smoking shelter is to be moved to the east, away from the main entrance to the pub. This is to avoid conflict between smokers and those entering the building. No changes to the design of the smoking shelter are proposed, and the small adjustment of its position will have no material impacts on the character or appearance of the building. Therefore the proposal is considered acceptable.

Highways

The proposed cold store will encroach into the facilities car park, however there is considered sufficient parking surrounding the building. Further, the proposal will not result in any additional vehicle trips to and from the site. Accordingly there are considered no adverse impacts in terms of highway safety

Residential Amenity

Residential properties surround the site, however theses are either separated by road or are a considerable distance from the proposed development. The changes proposed are considered minor in scale and would have no further impacts on the residential amenity of surrounding properties than at present.

Conclusion

Although the design of the cold store proposed would not generally be encouraged due to its construction and material, it is to serve a functional requirement of the operation. Further, due to its siting back from the highway, and given that a similar (larger) structure has already been approved, on balance, the proposal is considered acceptable. The changes proposed to the smoking shelter are minor in scale and will have no adverse impacts on the character or visual amenity of the building or on the residential amenity of surrounding properties. The application is considered to be in accordance with policy 1 of the Core Strategy and policies BE1 and T5 of the Local Plan.

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 by virtue of the scale, mass and design will have no material impacts in term of visual or residential amenity, highway safety or on the character of the street scene. Therefore the proposal is considered acceptable.
Core Strategy (2009) Policy 1
Hinckley & Bosworth Borough Council Local Plan (2001) :- BE1, T5

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: Drg Refs:- 207 rev A, 201 rev A, 100 rev A received by the Local Planning Authority on the 25.01.12

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

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).

Contact Officer:- Eleanor Shaw Ext 5680