

Delegated Report

Planning Ref: 24/00253/FUL
Applicant: Mr John Cooper
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Unit 2, Arthur Street, Barwell, Leicestershire

Proposal: Proposed erection of two storey warehouse

Recommendations

1.1. **Grant planning permission** subject to conditions set out at the end of the report

2. Planning Application Description

2.1. Planning permission is sought to construct a two storey warehouse. Consent was granted for a 2 storey warehouse under application 22/00606/FUL, this is a variation to that previously approved scheme which has not been built. The proposed would have a width of 18m and a depth of 8m. A pitched roof with ridge and eave height of 6.7m and 5m respectively is proposed. The proposal would be almost perpendicular to Arthur Street. Facing bricks and corrugated profile cement roof cladding in natural grey is proposed.

2.2. There would be 6 onsite parking spaces to the front of the proposed warehouse and a loading and unloading bay would be on site behind roller shutter doors. The applicant believes the current proposal gives a much better layout to the site and helps facilitate better parking and easier entry and exit from the site.

3. Description of the Site and Surrounding Area

3.1. The application site is situated just outside of Barwell Arthur Street Conservation Area. The site is within the settlement boundary of Barwell and 999sqm in size.

3.2. The site is occupied by a light industry/warehouse but this is currently vacant and dilapidated. The frontage of the building is set back from Arthur Street and there is a another warehouse building to the rear of the site.

3.3. Entrance to the site for cars and HGVs is taken from Arthur Street.

3.4. There are residential dwellings with long narrow rear gardens immediately to the west of the site and the surrounding area is characterised by a mix of employment and residential uses, some of which are conversions.

4. Relevant Planning History

22/00606/FUL- Proposed replacement two storey warehouse (following demolition of existing building)- Approved- 30.08.2022.

5. Publicity

5.1. The application has been publicised by a site notice that was also posted within the vicinity of the site and by writing to adjoining properties.

5.2. No representations have been received.

6. Consultation

6.1. The following responses have been received:

- HBBC Conservation Officer – No Objection.

- LCC Highways- No objection but recommend a condition
- Pollution Officer- No objection
- HBBC Drainage- No objection
- HBBC Waste- No objection
- Barwell Parish Council- No objection

7. Policy

7.1. Core Strategy (2009)

- Policy 3: Development in Barwell
- Policy 24: Sustainable Design and Technology

7.2. Earl Shilton and Barwell Area Action Plan (2014)

- Policy 23: Existing Employment Sites

7.3. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM19: Existing Employment Sites

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- Barwell Conservation Area Appraisal

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact on highways

Assessment against strategic planning policies

8.2. The application site is located within the settlement boundary of Barwell. Barwell supports Hinckley as a sub-regional centre and is considered a sustainable location for development. Policy 3 of the Core Strategy states that to support the regeneration of Barwell the Council will ensure there is a range of employment opportunities within Barwell.

8.3. The site is identified in the Employment Land and Premises Study (2020) as a category C employment site. Policy 23 of the Earl Shilton and Barwell Area Action Plan (ESBAAP) and Policy DM19 of the Site Allocations and Development Management Policies DPD (SADMP) has taken same view about category C employment sites. It states that the proposals for the development of 'B' uses (including ancillary areas) within designated employment sites will be supported where they accord with other policies of the plan. As the proposal would provide a

warehouse facility, it is considered to support existing employment use within the site. The proposal is therefore in accordance with Policy 23 of the ESBAAP and Policy DM19 of the SADMP.

Impact upon the character of the area (including effect on the setting of the Conservation Area)

- 8.4. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.5. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 8.6. Policy 1 of the Core Strategy seeks to ensure development respects Hinckley's industrial heritage through the sympathetic reuse of existing buildings. It also requires development to respect the character and appearance of Hinckley town centre conservation area.
- 8.7. Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features with the intention of preventing development that is out of keeping with the surrounding area.
- 8.8. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced and proposals which seek to improve neutral and negative areas inside conservation areas, which also lead to the overall enhancement of the conservation area, will be supported.
- 8.9 The adjacent Barwell Arthur Street Conservation Area has a predominantly industrial character consisting of historic boot and shoe factories and more recent brick built industrial buildings. The application site is a relatively poor presence in the setting of the conservation area (being identified as a weak area within the Barwell Arthur Street Conservation Area Appraisal (2010)) due to the palisade fencing around the frontage and its open car park, although the current building on the site is not a dominant presence due to its single storey scale and location away from the frontage.
- 8.10 The Council's Conservation Officer commented that although there is an increase in the scale of the proposed new building compared to the previously approved extension in this position it is considered it would not have an overbearing impact upon the adjacent conservation area and the use of a brick for the facing walls would be an appropriate construction material. Whilst not a traditional roofing material the sheet roofing matches that of the current building on the site and other latter 20th century industrial development within the conservation area and its setting. Some minor architectural detailing to the facing walls and fenestration would be desirable and could be sought, but in its current proposed form it is considered the proposed building would be a neutral presence within the immediate setting of the Barwell (Arthur Street) Conservation Area and not cause harm to its

significance. The proposal would therefore comply with Policies DM10, DM11 and DM12 of the SADMP DPD and Section 16 of the NPPF.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the SADMP state that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.12 Whilst the application site is located within an area which is characterised by mixture of residential and commercial units, there are residential dwellings at a minimum of 35m from the proposed. Due to its existing use as an employment site and the distance between the proposed and these neighbouring dwellings it is not considered it would have a significant adverse effect on the privacy and amenity of nearby residents.
- 8.13 The orientation of the building is now perpendicular to the warehouse approved in the last application in 2022. The proposed building is now also perpendicular to Arthur Street and runs along the eastern side of the site.
- 8.14 It is therefore considered that the application would not harm existing residential amenity and is in accordance with Policy DM10 of the SADMP.

Impact on Highways

- 8.15 Policies DM17 and DM18 of the SADMP require adequate access and off-street parking facilities for developments. Leicestershire County Council (LCC) Highways have been consulted and they advise that the residual cumulative impacts of the proposed development can be mitigated with conditions.
- 8.16 Based on the Highway Requirements for Development document available within the LHDG, one car space per 50 sq. metres and one lorry space per 200 sq. metres is required for B2 use. As such, six car parking spaces are required for the proposed development, along with one HGV space. Plan no. 1644/BP details that there will be six car parking spaces within the site. Whilst 10 spaces have not been detailed, the LHA is satisfied that an additional four car parking spaces may be available within the wider site. In addition, whilst an HGV parking space is not shown, the Applicant has suggested light goods vehicles would access the site. It is also understood the business is currently renting space in a nearby unit.
- 8.17 LCC Highways are satisfied that there would be no material impact on the public highway. The parking arrangements are acceptable and therefore it is considered that the proposal is in accordance with Policies DM17 and DM18 of the SADMP.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
 - (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3. There are no known equality implications arising directly from this development.

10. Conclusion

10.1. The site is identified as a Category C employment site within the Employment Land Study, Policy DM19 of the SADMP allows for the proposals for the development of 'B' uses (including ancillary areas) within designated employment sites including Category C employment sites. The proposal is associated with the existing class B use of the site and is considered acceptable in principle.

10.2. The proposal would have a neutral presence within the immediate setting of the Barwell (Arthur Street) Conservation Area and not cause harm to its significance. The proposed would still be adequately set back from Arthur Street to ensure that it does not have adverse impact on the street scene. The proposal would therefore comply with Policies DM10, DM11 and DM12 of the SADMP DPD and Section 16 of the NPPF.

11. Recommendation

11.1. **Grant planning permission** subject to following conditions:

11.2. Conditions and Reasons

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

Reason: To comply with the requirements of Section 19 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, details and materials:

- Proposed Block Plan Drg No. 1644/BP
- Site Location Plan Drg. No. 1644/SL
- Plans/ Elevations/ Sections Drg. No. 1644
- Application Form all submitted on 15 March 2024

Reason: To ensure a satisfactory impact of the development to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. Before the commencement of the above ground works, representative samples of the types and colours of materials to be used on the external elevations of the proposed development and boundary walls hereby permitted 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.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity and adjacent conservation area to accord with Policy DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Plan no. 1644/BP. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with the National Planning Policy Framework (December 2023).

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
4. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens)