

PLANNING STATEMENT

TO SUPPORT APPLICATION FOR LAWFUL DEVELOPMENT CERTIFICATE

‘SHOWROOM AND RETAIL WITH ANCILLARY
OFFICES (DISPLAY OR SALE OF GOODS)
TO
A CRECHE AND DAY NURSERY
(CLASS E)’

UNIT A
BRITANNIA BUILDINGS
COVENTRY ROAD, BURBAGE

REF. 810-BBB-PS (-)



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1.0 INTRODUCTION & PURPOSE

- 1.1 The Planning Statement is to support the submission for a Lawful Development Certificate for a kitchen and Bathroom Showroom and Retail with Ancillary accommodation (Use of Display or retail sales of goods) to a Full Day Care Nursery (Creche and Day Nursery) at Unit A, Britannia Buildings, Coventry Road, Burbage.
- 1.2 **Certificate of Lawful Use:** “Use of Display or retail sales of goods for Creche and Day Nursery Class E)”

2.0 SITE ASSESSMENT

- 2.1 The Britannia Buildings are located on Coventry Road, located closely to the west of the village centre and south of Hinckley town. The location is a mixture of both commercial and residential properties and is a short walk from the village centre.

- 2.2 There are already established business's that form part of the Britannia Buildings as referenced below:

Unit B & C - Let to Weblark Engineering Limited

Unit D - Let to Rebecca Dawe Photography Limited

Unit D Subleases - The ground floor is sublet to The Den (Café and Kids club) and second floor sublet to the Yoga Loft.

Unit E Telecoms Lease - Let to A P Wireless (UK).



Fig. 1 - Unit A Front Elevation



Fig. 2 - Unit A Side Elevation and Garden



Fig. 3 - Unit A Side Elevation

3.0 SITE LOCATION PLAN

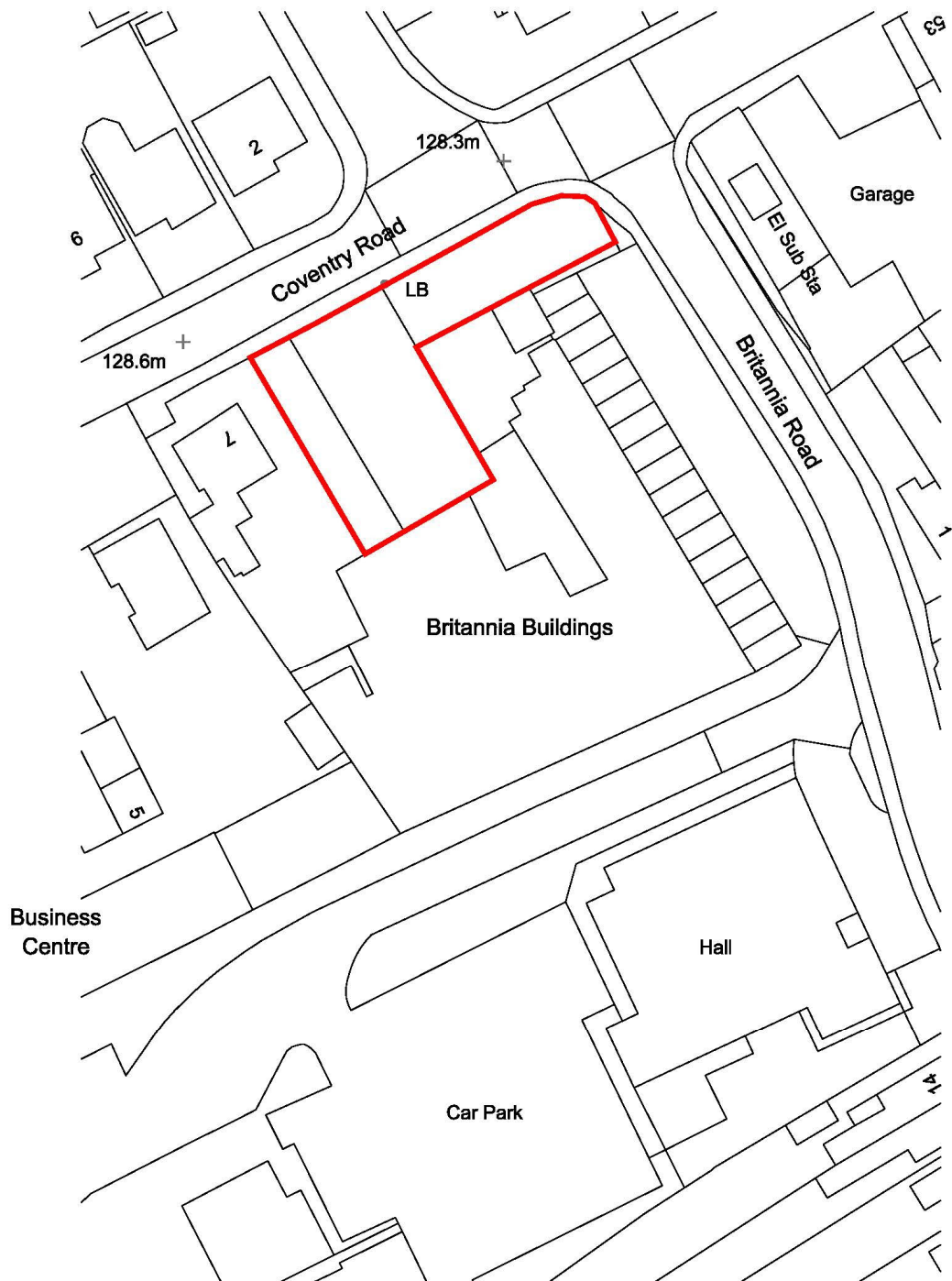


Fig. 3 Location Plan

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4.0 PLANNING HISTORY FOR THE SITE

- 4.1 Building A is believed to fall within the E User Class as showroom/retail accommodation with ancillary offices.

Architectural Vistadesigns Ltd contacted the Planning office in February 2024 seeking advice and understanding the Planning history for the Unit, the following information was provided:

I have checked the planning history for unit A and can't find any. What I will suggest is, apply for LDC and justify the current use of the unit A in the application form description.

Buildings B and C fall within the B2 (general industrial) planning use.

Building D - ground floor, consent granted for a creche/nursery June 2017 at App no. 17/00557/FUL.

Building D - second floor, planning consent granted for a yoga studio (D2) in December 2016. App no. 16/01107/COU.

Building D - first floor currently use photographic studio believed to fall within a Class E use.

Structure E - Telecoms equipment - planning consent was granted in January 2015 for alterations to the telecoms pole and ancillary equipment. App no. 14/01284/FUL.

5.0 PLANNING LEGISLATION

- 5.1 The Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 were introduced by central government on 20 July 2020 and took effect on 1 September 2020. The new regulations make changes to the 1987 Use Classes Order (as amended). Classes A and D of the Use Classes Order were revoked and Class B has been modified in order to create a new broad Class E group titled 'Commercial, Business and Service', which contains uses between which changes of use can occur without the need for planning permission (i.e. changes between them are no longer constitute development as set in Section 55 of the Town and Country Planning Act 1990).

Section 55(2)(f) of the Town and Country Planning Act 1990 (“the Act”) provides that a change of use of a building or other land does not involve development for the purpose of the Act if the new use and the former use are within the same specified class.

The uses contained within the new Class E include retail shops, restaurants, financial and professional services, offices, medical uses, gyms and other indoor sport uses, creches and nurseries. The Class E uses also extend to and permit “any other services which it is appropriate to provide in a commercial, business or service locality” (see Class E (C) (iii)).

From 1 September 2020 if a building is being lawfully used for Class A1, A2, A3 or B1 purposes it is to be treated (for UCO purposes) as being used for a Class E use (see Regulation 7 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2020). Class E uses extend to and include uses falling with previous Use Class D1 (a-b) and D2. Change of use can occur between any of the uses specified in Class E.

6.0 EVIDENCE BASE

- 6.1 The previous tenant was Greenstone KB Ltd and they took occupation on 25th March 2015. From the commencement of the lease, the premises was used as a kitchen and bathroom showroom. The lease was in the name of Lewis Gooding Ltd however they changed the company name in 2018 to Greenstone KB Ltd. A variation to the lease or a new lease was not required. Greenstone KB Ltd entered liquidation in July 2023 and the lease was disclaimed on 5th September 2023 ending their interest and terminating the lease on that date.

A copy of the lease is provided as a document for the application.

- 6.2 The company signage is still present on the buildings front and elevations as per below pictures:



- 6.3 Prior to Greenstone KB Ltd being a tenant of Unit A, 5 Star Home Improvements Ltd occupied the building as a tenant for many years and also had a showroom area and Trade Desk for members of the Public to visit.
- 6.4 Both previous tenants under current Town and Country Planning (Use Classes) would fall within Use Class E.

7.0 PROPOSALS

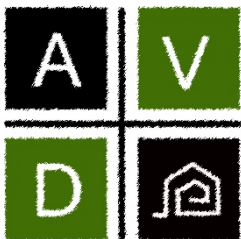
- 7.1 Once the Class E use is confirmed, the intention is to utilise the ground floor and first floor as a Full Day Care Nursery to accommodate between 70-80 Children per day with opening hours of 07.30am to 6pm and from Monday to Friday.
- 7.2 Much of the works would be internal modifications requiring removing of partitions and construction new partitions to create dedicated spaces to support the function of a Childrens Nursery.
- 7.3 A new door opening will be incorporated into an existing window opening to allow access to the Garden amenity that will be used by the Nursery, which will mean a very small amount of alteration to the side elevation. This would not be considered a material change to the degree resulting in development and to that length no planning permission is required.

8.0 CLIENTS BACKGROUND

- 8.1 Priesthills Nursery was founded in 1984 by its present owners and a family run business with strong connections to the local community. They have one Nursery located on Station Road that is relatively central to Hinckley Town Centre and in 2017 they expanded by opening a second Nursery on Nutts Lane in Hinckley, which is located South West of Hinckley near to the A5 road network.
- 8.2 The Nursery are committed to providing the highest quality childcare in supporting families and local communities and are highly experienced, along with being a well-established local business within the area, which speaks volumes.
- 8.3 The client's interest in establishing a third Nursery in Burbage should be seen as a positive contribution to the area and supporting the creation of jobs and the local families that require childcare.

9.0 CONCLUSION

- 9.1 Given the previous use appears to fall within Class E (Use of Display or Retail Building) it is considered Lawful to occupy for any purpose within Class E. Therefore, it is respectfully requested that the certificate be issued.
- 9.2 In support of the application, with the increasing development of housing in the immediate area of Burbage and with there not being enough community facilities to support the local area, then the Nursery should be seen as a positive asset to the area.



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