

Delegated Report

Planning Ref: 25/00589/OUT
Applicant: Mr R Middleton
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 10 Jacknell Road, Hinckley

Proposal: Outline planning permission for an extension to an existing industrial unit with parking. All matters reserved except (Access, Layout and Scale)

Case Officer: Ashleigh Gade (Senior Planning Officer)

1. Recommendations

- 1.1. **Grant planning permission** subject to:
- Planning conditions detailed at the end of this report

2. Planning Application Description

- 2.1. This planning application seeks outline planning permission for extensions to the existing industrial building and associated increase in car parking spaces at 10 Jacknell Road, Hinckley.
- 2.2. The application site would continue to be accessed via the existing access point from Jacknell Road. Jacknell Road is an adopted and unclassified road subject to a speed limit of 30mph.
- 2.3. The existing car parking area which is currently partially informal would be formalised with line markings to demarcate eight additional parking spaces.
- 2.4. The proposed extensions project from the west of the existing structure for a length of 19.83 metres with a width of 17.53 metres, and extend from the northern elevation of the western extension for a length of 20.13 metres with a width of 12.93 metres. The overall extensions to the existing building form an 'L' shape.
- 2.5. The proposed extensions are to have an eaves and ridge height to match the existing building on the western projection, and are to be of a similar height to the existing building on the northern projection where the building is to have a smaller span.
- 2.6. The precise appearance and material finishes of the scheme are reserved for later approval and therefore the extent of the application is hereafter described and assessed via the indicative appearance details as shown on the submitted plans.

- 2.7. The submitted information notes that indicatively the proposal would involve extensions of a comparable appearance and material finish to the existing industrial building on site.

3. Description of the Site and the Surrounding Area

- 3.1. The application site is located within the settlement boundary of Hinckley, to the west of the Hinckley town centre.
- 3.2. The application site is sited on the north-western edge of the Dodwell Bridge Industrial Estate (HIN114) employment site. The Dodwells Bridge estate is classified as a Category A site within the Council's Employment Land and Premises Study (2024).
- 3.3. The application site contains a Class B2 industrial warehouse building and associated area of hardstanding used for car parking, deliveries and vehicle movements. To the north and west of the site is a planted vegetation buffer that separates the wider industrial estate from the countryside to the north and west.
- 3.4. To the south and east of the application site are other industrial warehouse buildings within the Dodwells Bridge estate. The surrounding industrial buildings are typically of larger footprints than the application building and are of generally taller heights. The surrounding industrial buildings are typically constructed of partial-height brick walls with profiled sheet metal cladding on the upper walls and roofing.
- 3.5. To the north and west of the application site are fields within the designated open countryside. The nearest residential premises to the site are located over 500 metres away.

4. Relevant Planning History

4.1 23/00549/COU

- Change of use from sui generis (vehicle rental) to B2 general industrial
- Planning Permission
- 14.07.2023

5. Publicity

- 5.1 The application has been publicised by sending out letters to local residents and a site notice was posted within the vicinity of the site.
- 5.2 No responses have been received.

6. Consultation

- 6.1 Leicestershire County Council (LCC) Highways, the Local Highway Authority (LHA), have advised that in their view the impacts of the development on highway safety would not be unacceptable and the cumulative impacts on the road network would

not be severe. The LHA have noted that the existing access is suitable for the scale of the proposal, and the proposal would not exacerbate any existing highway safety issues.

The LHA have advised that the proposal is in shortfall of five off-street parking spaces when compared to LHDG guidelines. Notwithstanding this, the Applicant has indicated that there are currently nine staff members and that the proposals would lead to an extra two full-time staff and two part-time staff. The site is also within a sustainable location with close access to bus stops. Given this, the LHA are satisfied that the site provides adequate off-street parking in the site-specific circumstances.

The LHA have advised that they are satisfied the proposal provides acceptable HGV parking. The proposal does not indicate any cycle parking, and the LHA request a condition that the Applicant provides for cycle parking in accordance with Table 27 of the LHDG, in a Sheffield style or similar.

- 6.2 LCC Ecology have advised that they are satisfied the development meets the de minimis exemption for Biodiversity Net Gain (BNG) purposes. Notwithstanding this, the vegetated boundaries of the site and nearby woodland and waterbodies provide potential habitat with the possibility that mobile species may enter the site. Therefore, LCC Ecology require biodiversity enhancement measures within a separate Biodiversity Enhancement Strategy, to be secured by condition.

LCC Ecology have also advised that any new lighting proposed may cause disturbance to bats roosting or foraging within the vegetated boundaries of the site. Any new lighting is to be set out within a bat sensitive lighting strategy, to be secured by condition.

- 6.3 There were no objections to the application from the following consultees:

- National Gas Transmission
- Health and Safety Executive
- Hinckley & Bosworth Borough Council (HBBC)'s Environmental Services (Pollution) Officer

- 6.4 No further responses have been received.

7. Policy

- 7.1 Core Strategy (2009):

- Policy 1: Development in Hinckley

- 7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding

- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3 National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4 Other Relevant Guidance:

- HBBC Good Design Guide (2020)
- Employment Land and Premises Study (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. The key issues in respect of this application are:

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon residential amenity
- Impact upon parking provision and highway safety

Assessment Against Strategic Planning Policies

8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.

8.3 Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.

8.4 The current Development Plan consists of the adopted Core Strategy and the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP). Both the Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF.

8.5 Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary. Nevertheless, in accordance with Paragraph 232 of the NPPF, due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.6 Policy 1 of the Core Strategy states that the Council will ensure there is a range of employment opportunities within Hinckley. Policy DM19 of the SADMP states that the

Borough Council will seek to retain employment sites classified as Category A in their entirety for B1, B2 and B8 uses. The development of non-B Class uses in Category A sites will only be allowed in exceptional circumstances and proposals must demonstrate that they would not have a significant adverse impact on surrounding employment uses.

- 8.7 The application site is located within the Dodwells Bridge Industrial Estate which is identified as a Category A existing employment site within the SADMP and within the Council's Employment Land and Premises Study.
- 8.8 The existing operations at the application site are considered to fall within Use Class B2. This will not change as a result of the proposed extensions. It is therefore considered that the principle of development is acceptable in accordance with Policy DM19 of the SADMP.

Design and Impact upon the Character of the Area

- 8.9 Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 135 of the NPPF details the six national policy requirements of development to ensure the creation of well-designed and beautiful places.
- 8.10 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.11 This is an outline application with all matters reserved except for access, layout and scale. Therefore, detailed appearance considerations are not being assessed at this stage. These details will be provided at the Reserved Matters stage. The extent of design consideration to be made at this stage is the appropriateness of the site to accommodate an extension to the existing industrial building and the layout and scale of the extension.
- 8.12 The character of the area surrounding the application site along Jacknell Road is exclusively industrial style buildings, typically constructed of partial-height brick walls with profiled sheet cladding to the upper walls and roofing. The footprint and height of industrial buildings immediately surrounding the application site are larger than that of the application building, with parking areas typically located to the front and side.
- 8.13 The proposal involves an 'L' shaped extension to the north and west of the existing industrial building. The proposed extension would not be visible from Jacknell Road, as it would be obscured by the existing building.
- 8.14 The existing industrial building has a footprint of 462 square metres. The proposed extension has a footprint of 608 square metres. The resulting footprint of the building would be 1,070 square metres. The resulting footprint is comparable to other surrounding industrial buildings within the estate.

- 8.15 The western projection of the proposed extension is to have an eaves and ridge height to match the existing building. The northern projection is to extend from the northern elevation of the proposed western projection and is to have eaves and ridge height comparable to the existing building, sitting below the ridge height of the existing building.
- 8.16 It is therefore considered that the proposed extension would sit comfortably within the surrounding industrial context and would have no additional impact upon the character as viewed from Jacknell Road. The proposal is thereby in accordance with Policy DM10 of the SADMP, subject to detailed design of the development at Reserved Matters stage.

Impact upon Residential Amenity

- 8.17 Policy DM10(a) and (b) of the SADMP state that development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.18 This is an outline application with all matters reserved except for access, layout and scale. Therefore, detailed appearance matters are not being assessed at this stage. These details will be provided at the Reserved Matters stage. The extent of design consideration to be made at this stage is the appropriateness of the site to accommodate the proposed extension at the proposed layout and scale without undue impact upon neighbouring properties.
- 8.19 The application site is located approximately 500 metres from the nearest residential property and there are no proposed changes to hours of operation. The neighbouring industrial premises to the south already has a wall without openings adjacent the site's southern boundary, along which the western projection of the extension will be sited.
- 8.20 HBBC's Environmental Health (Pollution) Officer has raised no objections to the scheme.
- 8.21 Further, it is noted that no objections to the proposal were received from neighbouring properties.
- 8.22 Given the above, it is considered that the proposal would not have an adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, in accordance with Policy DM10 of the SADMP.

Impact upon Parking Provision and Highway Safety

- 8.23 Paragraph 115(b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant

impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.

- 8.24 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.25 To support this, Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe. Policy DM18 of the SADMP requires that new development provide an appropriate level of parking provision.
- 8.26 All proposals for new development should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority. Currently, this is the Leicestershire Highway Design Guide (LHDG) (2024).
- 8.27 The site benefits from existing access from Jacknell Road. There are no changes to the existing access proposed as part of the proposal. The LHA have confirmed that the existing access is suitable for the proposed scale of the scheme.
- 8.28 The industrial premise on the site currently employs 9 full-time workers. The proposed extensions would increase staffing numbers by 3 full-time workers and 2 part-time workers.
- 8.29 The existing site provides 8 car parking spaces. The proposal would formalise the existing off-street parking area and involve the provision of 8 additional parking spaces. The total resulting car parking spaces for the site would be 16.
- 8.30 The LHA have reviewed the proposed parking layout and have confirmed that the proposal is in shortfall of the off-street parking spaces required by the Table 29 of the LHDG. Notwithstanding this, the LHA are satisfied that based on the transport sustainability of the site and the staffing levels resulting from the proposal, the parking provision is acceptable in these site-specific circumstances.
- 8.31 The proposal includes two HGV parking spaces and two alternative loading bay spaces to the east of the proposed northern projection of the proposed extension. The LHA are satisfied with the quantum and dimensions of the proposed HGV spaces.
- 8.32 It is therefore considered that the proposal would not create an unacceptable impact on highway safety or the road network and demonstrates an acceptable internal layout including sufficient parking spaces. It thereby demonstrates consistency with Policies DM17 and DM18 of the SADMP, and the requirements of the LHDG.

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.

9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission be granted, subject to the imposition of appropriate conditions and obligations.

11. Recommendation

11.1 **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report

11.2 Conditions and Reasons

1. Application for approval of reserved matters shall be made within two years of the date of this permission and the development shall be begun not later than 18 months from the date of approval of the last of the reserved matters to be approved.

Reason: To comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence until details of the full scale, appearance and landscaping (hereafter called the reserved matters) have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved reserved matters.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. Notwithstanding the indicative details shown on the submitted plans the development hereby permitted shall not be carried out other than in complete accordance with the submitted application details received by the Local Planning Authority as follows: Block, Site Location Plan, Drg No. 4884/01 and Proposed Site Layout, Drg No. 4884/02 (both submitted: 19.06.2025).

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

4. Prior to beneficial use, a "lighting design strategy for biodiversity" in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
 - a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

5. Prior to beneficial use, A Biodiversity Enhancement Layout shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Layout shall include the following:

- a) detailed designs or product descriptions for biodiversity enhancements; and
- b) locations, orientations and heights for biodiversity enhancements on appropriate drawings.

The enhancement measures shall be implemented in accordance with the approved details prior to occupation and all features shall be retained in that manner thereafter.

Reason: To enhance protected and Priority species & habitats and allow the LPA to discharge its duties under paragraph 187d of the NPPF 2024 and s40 of the NERC Act 2006 (as amended).

- 6. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with the Site Layout as Proposed, drawing number 4884/02. Thereafter the onsite parking and turning provision shall be kept available for such use 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 (2024).

- 7. The development hereby permitted shall not be occupied until such time as secure and under cover-cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2024).

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 building.control@blaby.gov.uk or call 0116 272 7533.
- 2. This permission does not grant or imply consent for the details shown on the plans accompanying the application which are for illustrative purposes only.
- 3. To avoid killing or injuring small animals which may pass through the site during the construction phase, it is best practice to ensure the following measures are implemented:

- a) Trenches, pits or holes dug on site should be covered over at night. Alternatively, ramps (consisting of a rough wooden plank) or sloped/stepped trenches could be provided to allow animals to climb out unharmed;
 - b) materials brought to the site for the construction works should be kept off the ground on pallets to prevent small animals seeking refuge;
 - c) rubbish and waste should be removed off site immediately or placed in a skip, to prevent small animals using the waste as a refuge; and
 - d) should any protected species or evidence of protected species be found prior to or during the development, all works must immediately cease, and a suitably qualified ecologist must be contacted for further advice before works can proceed. All contractors working on site should be made aware of the advice and provided with the contact details of a relevant ecological consultant.
4. All work must be carried out in accordance with National Gas Transmission specification T/SP/SSW/22. The Applicant's attention is drawn to the guidance contained within the consultee comments from National Gas received on 12 September 2025.