DELEGATED REPORT

Recommendation Made: 29 June 2011

Reference:- 11/00461/NOMAT **Parish:-**

Applicant:- Mr Jeffrey Penman
Unit M
Maple Drive
Hinckley
Leicestershire

Location:- Unit Z Maple Drive Hinckley Leicestershire LE10 3BE

Proposal:- NON MATERIAL AMENDMENT TO PLANNING PERMISSION 10/00993/FUL (DOOR, WINDOW, INTERNAL LAYOUT AND CAR PARKING ALTERATIONS)

Introduction:-

This application seeks approval for a non-material amendment to planning permission 10/00993/FUL for the erection of three units (use classes B1, B2 and B3) located at Unit z Radius Court, Maple Drive, Tungsten Park, Hinckley.

The amendments consist of an alteration in the size of the three roller shutter doors on the west elevation and the addition of further glazing to the first floor of Unit Z1. The internal walls are to be moved to provide a different footprint for the end users of the unit. The amendment also includes three additional car parking spaces located to the south of the site.

History:-

10/00993/FUL	Erection of three units (use classes B1, B2 and B3)	Approved	09.02.2011
09/00343/CONDIT	Removal of condition 13 of planning permission 07/01150/FUL to allow occupation without carrying out improvements attached to planning permission 99/00048/OUT	Refused	05.08.2009
09/00340/CONDIT	Removal of condition 21 of planning permission 05/00615/FUL to allow occupation without carrying out improvements to Dodwells roundabout attached to planning permission 99/00048/OUT	Refused	05.08.2009
07/01150/FUL	Mixed Commercial Development Comprising B1, B2, B8 and Sui Generis Uses	Approved	20.11.2007
07/00529/FUL	Mixed commercial development comprising B1, B2, B8 and Sui Generis uses	Refused	29.08.2007
05/00615/FUL	Erection of 10 Commercial units	Approved	11.08.2005
05/00216/REM	10 Commercial/Industrial/Office units	Withdrawn	02.03.2005
03/00411/CONDIT	Variation of condition 3 of application 99/00048/OUT to allow extension of time for submission of reserved matters	Approved	09.06.2003
99/00048/OUT	Industrial Development for B1, B2 and B8 uses	Allowed at Appeal	09.05.2000

Consultations:-

No comments have been received for this application.

Development Plan Policies:-

National Planning Guidance

Planning Policy Statement 1
Planning Policy Statement 4

Local Development Plan Policy

Hinckley and Bosworth Local Development Framework Core Strategy (2009)
Policy 1

Hinckley and Bosworth Local Plan (2001)
Policy BE1
Policy T5
Policy EMP4

The site lies adjacent to Ashby-de-la-Zouch canal which is a designated Conservation Area and is afforded protection through Policy BE7 and Policy REC6 of the Hinckley and Bosworth Local Plan.

Appraisal:-

The main issues in respect of this application are whether or not the proposed alterations constitute non material amendments to the approved planning permission and if the proposed amendments are detrimental to the previously approved scheme, the amenities of the occupiers of neighbouring properties or the adjacent Conservation Area.

The materials to be used for the smaller roller shutter doors and additional glazing are the same as previously approved and therefore it is considered that the proposal to the west elevation would not have a detrimental impact on the previously approved scheme in terms of its design or visual appearance.

The nearest residential unit to the application site is No.391 Coventry Road to the south west (at 67m). The original scheme was considered not to have a detrimental impact on residential amenity and due to the nature of the proposal it is not considered that the amendments will have any further impacts.

The reduction in the size of the roller shutter doors raises no material planning issues and the addition of the first floor glazing will have a detrimental impact on the existing occupants opposite the site as there is a considerable distance between the units and the commercial use has already been established on site.

The addition of 3 no. car parking spaces located to the south of the site is not considered to have a detrimental impact on any of the existing adjacent properties and is considered beneficial to the development.

It is considered that if the proposed alterations had been submitted at the time of the application (ref. 10/00993/FUL), this is unlikely to have affected the decision to approve the application. It is, therefore, considered that the proposed amendments can be considered as non material of a minor nature and would not be detrimental to the previously approved scheme. The application is therefore recommended for approval.

Recommendation:- Permit subject to the following conditions:-

1 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Drg No:- 6605/111E received by the Local Planning Authority on 7th June 2011.

Reasons :-

1 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:- Debbie Phillips Ext 5603