

Delegated Report

Planning Ref: 24/00589/FUL

Applicant: Mr Martin Woodward

Ward: Hinckley Clarendon

Site: 8 Nuffield Road, Hinckley

Proposal: Extension to goods outward warehouse and print room



Hinckley & Bosworth
Borough Council

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. This application is for the proposed extension to the goods outward warehouse and print room. The extension introduces a two storey pitched roof extension to the east of the site, mirroring the pitch at the western end of the unit.

3. Description of the site and surrounding area

- 3.1. The site is located within the Harrowbrook Industrial Estate and is surrounded by other commercial uses. Most buildings in the locality have brick elevations with composite or profiled metal roofs. There are some two storey office buildings in the locality.

4. Relevant planning history

21/00006/FUL

Extension to goods outward warehouse

Planning Permission

15/06/2021

24/00177/NMA

Permitted

Non material amendment to planning application 21/00006/FUL. Amendment to a single bay portal frame including an extended print hall

28/03/2024

5. Publicity

- 5.1. The application has been publicised by posting neighbour letters, a site notice was posted within the vicinity of the site.
- 5.2. No comments received.

6. Consultation

- 6.1. HBBC Pollution: No objections.
- 6.2. LCC Highways: No objections, subject to conditions.
- 6.3. HBBC Drainage: No objections.
- 6.4. HBBC Waste Management: No objections.
- 6.5. National Grid: No response received.

7. Policy

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design

- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM19: Existing Employment Sites

7.2. National Planning Policies and Guidance

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

7.3. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Employment Land and Premises Study (2020)

7.4. Core Strategy (2009)

- Policy 1: Development in Hinckley

8. Appraisal

8.1. Key Issues

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

Assessment against strategic planning policies

8.2. The 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. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states 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. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

8.3. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

8.4. DM19 of the SADMP confirms the Boroughs existing employment areas. The site is located within Harrowbrook Industrial Estate and is located within an existing employment area, as such the proposed development to extend the existing employment site is considered to be sustainable within this area.

Design and impact upon the character of the area

8.5. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

8.6. The character of the area is defined by large scale industrial units, with car parking afforded to each unit, often for lorry's or larger vehicles. The proposed extension to the goods warehouse would not appear out of character when considering the

neighbouring units, and also when considering the eastern pitch of the development site, the proposed development would therefore be mirrored and would be acceptable in terms of its design, it is also noted that the materials proposed match the existing, further ensuring good design. Overall it is considered that the extensions would not be out of character with the area.

- 8.7. The proposals are therefore considered to be in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.8. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.9. The development site is not located within a reasonable distance to neighbouring residential development. Given that the site is a significant distance from residential development, and given the industrial nature of the site, the application for the extension to the existing unit is not considered to cause detrimental impacts to neighbouring residential amenity.
- 8.10. As such it is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.11. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.12. Leicestershire County Council have been consulted as part of this proposal and have confirmed that they do not think that the proposal is unacceptable, subject to three (3) conditions. The conditions have been included at the end of this report ensuring that the development has no detrimental impact on highway safety or vehicular parking. As such the proposal is considered to be in accordance with Policies DM17 and DM18 of the SADMP, subject to condition.

Biodiversity Net Gain

- 8.13. In England, BNG is mandatory from 12 February 2024 under [Schedule 7A of the Town and Country Planning Act 1990 \(as inserted by Schedule 14 of the Environment Act 2021\)](#). Developers must deliver a BNG of 10%. This means a development will result in more or better quality natural habitat than there was before development. This is subject to some exemptions which includes development subject to the “de minimis exemption”- development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows. This development is contained solely on existing hardstanding and therefore is subject to the de minimis exemption and mandatory net gain is not required.

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. The proposal is considered acceptable due to the limited impacts upon the character of the area and the amenity of adjacent buildings. It is considered that the proposed development would be in accordance with Policies DM10, DM17 and DM18 of the adopted SADMP.
11. **Recommendation**
- 11.1 **Grant planning permission** subject to:
 - Planning conditions outlined at the end of this report
- 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 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Site Location Plan
Proposed Block Plan
Proposed Elevations and Plans Drg No. Planning Amended Design V2
Planning, Design and Access Statement
Landscape Statement

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

3. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on 'Planning Amended Design V2', received by the LPA on 14 June 2024 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning Policy Framework (December 2023).

4. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance on 'Planning Amended Design V2', received by the LPA on 14 June 2024. Thereafter the onsite parking provision shall be so maintained 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).

5. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

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. 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.