

Delegated Report

Planning Ref: 23/00920/DGDO
Applicant: HORIBA MIRA Ltd
Ward: Ambien



Hinchley & Bosworth
Borough Council

Site: Track control, Mira Drive, Lindley

Proposal: Prior notification of the demolition of control tower

1. Recommendations

1.1. Prior approval not required.

2. Planning application description

2.1. This application is submitted under the prior notification procedure contained within Schedule 2, Part 11 Class B of the Town and Country Planning (General Permitted Development) (England) Order 2015 (As Amended). It seeks a determination as to whether the prior approval of the local planning authority is required for the method of demolition of a control tower at Mira Drive, Lindley, Leicestershire.

2.2. The application is supported by a covering letter.

3. Description of the site and surrounding area

3.1. Horiba Mira and its associated grounds are located on Watling Street (A5), between the villages of Higham on the Hill and Fenny Drayton, with the A5 to the south. The Horiba Mira site covers almost 3 square kilometres. The application site comprises an area of land adjacent to the A5, within the curtilage of the designated Mira Enterprise Zone. The site lies between existing workshops of a similar design and scale.

3.2. This application involves a control tower which is located towards the centre of the wider MIRA site, within the area known as the 'proving ground'.

4. Relevant planning history

No relevant planning history.

5. Publicity

5.1. The applicant has confirmed that a site notice has been posted at the site in accordance with paragraph B.2(b)(iv) of Part 11 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and a copy of the notice has been submitted with the application.

6. Consultation

6.1. No consultations are required for this type of application.

7. Policy

- Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended)
Schedule 2, Part 11, Class B

8. Appraisal

8.1. The main consideration with regard to this application is whether the prior approval of the local planning authority is required for the method of demolition of the building and any proposed restoration.

8.2 The control tower is proposed to be demolished to enable the continued development of the proving ground at MIRA. The control tower no longer has an operational use and is therefore not required.

8.3 The covering letter confirms that the building will be demolished in February 2024. Asbestos will be removed by a certified contractor, in line with an asbestos demolition survey, and disposed of as hazardous material. All other associated material will be recycled on-site at MIRA's recycling centre for use in the foundations of other construction projects on site.

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 building is no longer required for operational or functional use and would not form part of the wider future redevelopment of the site. Having regard to the submitted details the local planning authority considers that the proposed method of demolition would be acceptable and that in accordance with the Town & Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 11, Class B, further prior approval is not required.

11. Recommendation

11.1 **Prior approval not required.**

11.2 **Reasons**

- 1) Having regard to the proposed method of demolition and redevelopment of the wider site at MIRA, the local planning authority is satisfied that prior approval is not required.

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.