

Erection of extension (B2 and B8 use) to existing building (B1, B2 and B8 use)

Report Item No
A1

MIES International Unit C Norman Court Ashby De La Zouch
LE65 2UZ

Application Reference
17/01159/FUL

Applicant:
Mr Philip Eaton

Date Registered:
14 August 2017

Case Officer:
James Knightley

Consultation Expiry:

5 October 2017

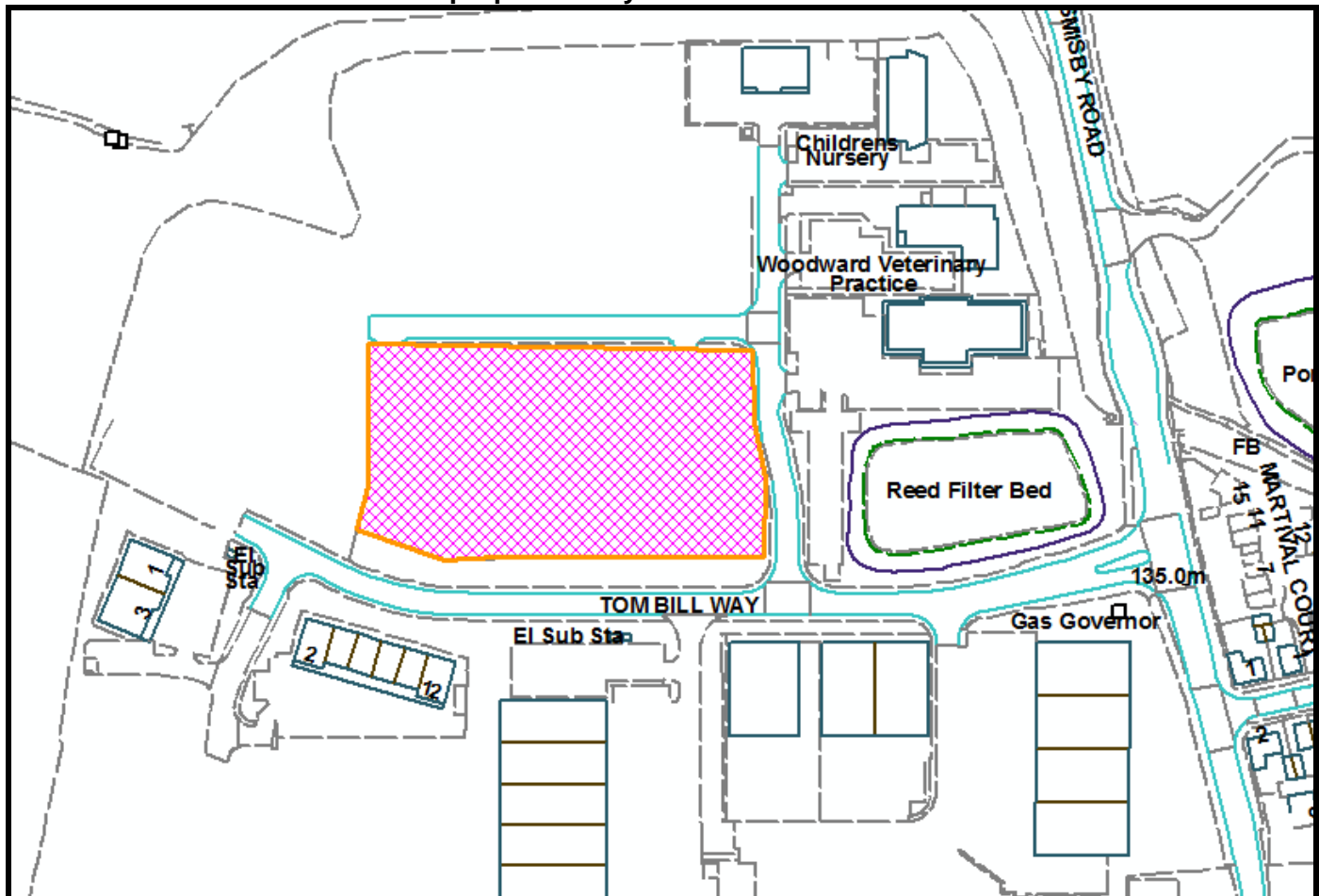
8 Week Date:

9 October 2017

Recommendation:
PERMIT

Extension of Time:
10 November 2017

Site Location - Plan for indicative purposes only



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Executive Summary of Proposals and Recommendation

Proposal

This application seeks planning permission for an extension to an existing employment unit on the Ivanhoe Business Park in Ashby de la Zouch.

Consultations

Members will see from the main report below that no objections have been received from statutory consultees in respect of the proposals. Two representations have been received raising objections to scheme.

Planning Policy

The application site lies within Limits to Development and is allocated for employment use in the adopted North West Leicestershire Local Plan. The site is also within Limits to Development as defined in the submitted North West Leicestershire Local Plan, and is within a Primary Employment Area.

Conclusion

The report below indicates that the development is acceptable in principle, that there are no other technical issues that would indicate that planning permission should not be granted, and that the design of the scheme would be appropriate.

RECOMMENDATION:-

PERMIT, SUBJECT TO THE IMPOSITION OF CONDITIONS

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies and the Officer's assessment, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. Proposals and Background

In November 2014, planning permission ref. 14/00081/FULM was granted for the erection of a unit with associated works for uses within Classes B1, B2 or B8 on this site. A subsequent Section 73 approval (ref. 15/00882/VCUM) was granted in December 2015. The unit has now been completed and is operational.

The current application seeks planning permission for the erection of an extension within an existing service yard to the front of the unit of approximate dimensions 28.4m x 24.3m (plus eaves overhang) x 9.8m high (above finished floor level (FFL)) providing an additional 667sqm of floorspace.

The application is referred to the Planning Committee for determination at the request of Councillor Bayliss.

2. Publicity

42 Neighbours have been notified (Date of last notification 21 August 2017).
Site Notice displayed 30 August 2017.

3. Summary of Consultations and Representations Received

Ashby de la Zouch Town Council supports the application

Environment Agency has no comments

Leicestershire County Council Ecologist has no objections

Leicestershire County Council Lead Local Flood Authority has no objections subject to conditions

Leicestershire County Council Local Highway Authority has no objections subject to conditions

National Forest Company notes that the National Forest planting requirements were met as part of the development of the original business park and no further contribution is required

Natural England has no objections subject to conditions

North West Leicestershire District Council Environmental Protection has no objections

Third Party representations

Two representations has been received, (one submitted on behalf of three occupiers / investors), objecting on the following grounds:

- Contrary to adopted and emerging Local Plan policies and to the NPPF
- Proposal would conflict with the business park's well-established design principles for employment sites
- Extension would project forward of the building
- By virtue of the extension's scale and mass, it would be visually prominent and oppressive

- The lack of any meaningful activity to the elevations would make the extension visually incongruous in the street scene
- Extension would be harmful to the visual communication / legibility of this part of the business park
- District Council's Urban Designer should be consulted
- Blocking of views within the business park
- Loss of openness

4. Relevant Planning Policy

National Policies

National Planning Policy Framework

The NPPF (Paragraph 215) indicates that due weight should be given to relevant policies in existing development plans adopted before 2004 according to their degree of consistency with the Framework. The closer the policies in the development plan to the policies in the Framework, the greater weight they may be given.

Save where stated otherwise, the policies of the North West Leicestershire Local Plan as listed in the relevant section below are consistent with the policies in the NPPF and, save where indicated otherwise within the assessment below, should be afforded weight in the determination of this application.

The following sections of the NPPF are considered relevant to the determination of this application:

Paragraph 14 (Presumption in favour of sustainable development)

Paragraph 17 (Core planning principles)

Paragraph 19 (Building a strong, competitive economy)

Paragraphs 57 and 61 (Requiring good design)

Paragraph 100 (Meeting the challenge of climate change, flooding and coastal change)

Paragraph 118 (Conserving and enhancing the natural environment)

Adopted North West Leicestershire Local Plan (2002)

The site is within Limits to Development and is allocated for employment use under Policy J3b of the adopted Local Plan. The following adopted Local Plan policies are also considered relevant to this application:

Policy E4 - Design

Policy T8 - Parking

Policy J14 - Expansion of Existing Firms

Submitted North West Leicestershire Local Plan

The publication version of the Local Plan was agreed by Council on 28 June 2016 and submitted for examination on 4 October 2016. Examination hearing sessions were held in January and March 2017 and the Council undertook a six week consultation on its Main Modifications from 12 June 2017. The Inspector's report was received on 13 October 2017 which stated that the plan would meet the criteria for soundness in the NPPF subject to the proposed main modifications, and is expected to be considered by Full Council in November 2017 with a view to adopting the Plan. In accordance with the approach set out in Paragraph 216 of the NPPF, having regard to the stage now reached towards adoption, it is considered

that significant weight can be attached to the policies contained in the plan.

The site is within Limits to Development and is also within a Primary Employment Area under Policy Ec3d. Other relevant policies within the draft Local Plan would include:

Policy D1 - Design of new development
Policy D2 - Amenity
Policy IF7 - Parking provision and new development
Policy En2 - River Mease Special Area of Conservation

Submission Draft Ashby de la Zouch Neighbourhood Local Plan

The Submission Draft of the Ashby de la Zouch Neighbourhood Local Plan was submitted to the District Council on 1 August 2017. The Council has undertaken a six week consultation on the Draft Neighbourhood Plan and will now arrange for an examination. The weight to be attached by the decision maker to this submitted version should be in accordance with the approach set out in Paragraph 216 of the NPPF, having regard to the stage now reached towards adoption, the extent to which there are unresolved objections to the policies relevant to the determination of this application, and the degree to which the emerging policies are consistent with the NPPF.

The site lies within Limits to Development as defined in the emerging Neighbourhood Plan. The following draft Neighbourhood Plan policies are considered relevant:

Policy S1 - Presumption in Favour of Sustainable Development
Policy S2 - Limits to Development
Policy S4 - Design
Policy E1 - Employment Land and Buildings
Policy T6 - Car Parking
Policy NE4 - Nature Conservation

Other

Good design for North West Leicestershire SPD

5. Assessment

The principal issues associated with the current application are considered to be in respect of the design and visual impact of the proposed extension, any parking implications arising from the proposed additional floorspace, impact on the River Mease, and surface water drainage.

Design

Insofar as the proposed extension is concerned, the form of the extension and the external materials used in its construction would be similar to that of the principal building and, given its reduced height compared to the existing building, would appear as subservient to it. It is noted that the extension would be located to the front of the existing unit, adjacent to one of the wider estate's access roads. However, given that the proposal would be located within an area currently identified as a service yard, there would be no impacts upon the existing landscaping adjacent to the footway (and, as set out below, additional planting is also proposed). Whilst the extension would, in effect, result in an increased sense of enclosure to the street scene (and, in particular, to the road to the side (north elevation) of the existing unit), this would not, it is considered, result in an unacceptable impact.

The application has been assessed by the District Council's Urban Designer who notes that the extension would be designed to match with the existing building following its form and appearance, and that it would result in no more or less active frontage than as present. Given that there is no consistent building line across the wider site, he does not consider that the extension would erode the quality of the site or its legibility nor, he considers, would it be inappropriate or otherwise compromise the setting of any other buildings.

However, the District Council's Urban Designer is of the view that the proposed development would provide an opportunity to enhance the quality of perimeter landscape on the plot the subject of this application. In response, the applicant has amended the scheme so as to provide additional landscaping within the area between the existing paladin style perimeter fence and the proposed extension. This would, when implemented in conjunction with the existing landscaping to the outside of the fence, be considered to provide for a more robust area of landscaping, helping to reinforce the estate's National Forest identity.

Highway Safety

In terms of parking provision, it is noted that the proposed works would result in a total floorspace of 3,299sqm and, if the individual uses specified in the application (B1(c), B2 and B8) are calculated individually against Leicestershire County Council standards (i.e. as if they were three separate uses / sites), this would equate to a parking requirement of 51 car and 14 HGV spaces (although this would reduce if the calculation were undertaken for any one of those uses for the site as a whole). The proposal includes for an additional 8 car parking spaces which, when added to the existing 35 spaces would, it is considered, be sufficient for the site as a whole, and additional on-street car parking as a result of the proposed development would seem unlikely. The County Highway Authority considers that the proposed parking arrangements are acceptable and raises no objections. Whilst the County Highway Authority notes that the submissions do not contain detailed plans of the cycle shelter and recommends adding a condition to secure this, given that the cycle shelter is existing, no additional condition is considered necessary.

River Mease Special Area of Conservation and Surface Water Drainage

The site lies within the catchment area of the River Mease Special Area of Conservation (SAC). Discharge from the sewage treatment works within the SAC catchment area is a major contributor to the phosphate levels in the river. Therefore an assessment of whether the proposal would have a significant effect on the SAC is required.

Whilst the proposed extension would provide additional floorspace within the building, the submitted Drainage Strategy indicates that the proposed extension would not increase the occupancy of the building and staff numbers would remain the same. As such, the Strategy states that the proposed extension would not contribute any additional wastewater into the sewerage network, and no developer contributions would be necessary. Whilst it would not be possible to ensure (in planning terms) that no additional staff would be employed in association with the proposed extension, it is also the case that additional employees could be employed at any point within the *existing* building without requiring any separate approval from the Local Planning Authority. It is also noted that no additional staff facilities (and including toilets) are proposed and, on this basis, it would not be considered reasonable to request a financial contribution under the provisions of the current Developer Contributions Strategy (DCS2) in this instance.

In terms of surface water run-off, the Drainage Strategy provides that surface water from the

proposed extension and hard surfaced areas will continue be drain into the existing facilities, and that there would be no increase in impermeable surface area (i.e. as the proposed roof would simply replace the existing external hard surfaced service yard). No objections are raised by the Lead Local Flood Authority or Natural England in respect of surface water issues.

Conclusions

The proposed development is therefore considered acceptable, and approval is recommended.

RECOMMENDATION- PERMIT, subject to the following condition(s):

- 1 Time limit
- 2 Approved plans
- 3 Building materials as specified
- 4 Surfacing materials as specified
- 5 Vehicle and cycle parking
- 6 Landscaping
- 7 Surface water drainage