

## Item No. 2

**Application Reference Number** P/20/2368/2

<b>Application Type:</b>	Full	<b>Date Valid:</b>	15/01/2021
<b>Applicant:</b>	Mr Commons		
<b>Proposal:</b>	Demolition of an existing storage building; and the erection of a new building comprising 2 units to be used for either light industry or research and development (Use Class E(g) (ii) and (iii)) or for storage and distribution (Use Class B8).		
<b>Location:</b>	24 Loughborough Road Shepshed Leicestershire LE12 9DN		
<b>Parish:</b>	Shepshed	<b>Ward:</b>	Shepshed East
<b>Case Officer:</b>	Deborah Liggins	<b>Tel No:</b>	07864 603401

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This item is referred to Plans Committee at the request of Councillor Popley who has concerns about the proposal and the impact on traffic and highway safety of Loughborough Road given that it is already a busy road in Shepshed. The footway outside of the site is narrow and vehicle movements on and off the site can already be high during peak hours. Councillor Popley is of the view that proposed changes will almost certainly add more traffic to the area.

### **Description of the Application Site**

The application relates to a workshop to the rear of 24 Loughborough Road, Shepshed which is a complex of buildings occupied as a car maintenance and repair business. The business is accessed via the frontage of 2 residential dwellings at No. 22 Loughborough Road and the upper floor of 24 Loughborough Road. The ground floor of No. 24 is used as a retail shop and café following the grant of planning permissions in 2018. Levels rise steeply across the site and the existing garage workshop lies towards the middle of the site where ground levels are elevated. There is a footpath that runs immediately to the east and links Loughborough Road and Dovecote which comprises residential dwellings.

The whole site lies to the east of Shepshed Town Centre and is situated within the Shepshed Limits to Development. It is also situated outside of the Conservation Area but within an Archaeological Alert zone.

### **Description of the Proposals**

The application has been revised and reduced and amended plans received on 9<sup>th</sup> July show the erection of 2 small units in a single building which has a footprint of (35.75 sq.m.) 5m x 7.15m (approximately double garage size). The existing building would be demolished and each new unit would be 15.7 sq.m. internally and would have a roller shutter door to its front (western) elevation. The roof would have a very shallow 4 degree pitch and would be 3.327m high to the ridge and 3m high to eaves. Proposed materials are shown on revised elevation plans received on 9<sup>th</sup> August 2021 and these would comprise the lowest 1m of walling to be constructed in block work with the remainder of the elevations being in metal cladding in a silver/grey colour with roller shutter doors.

The building would be used for either light industry or research and development (Use Class E(g) (ii) and (iii)) or for storage and distribution (Use Class B8). Proposed hours of use are as follows

Mon-Friday - 0700-1800 hours

Saturday – 0800-1700 hours

Sun & Bank Holidays - none

## **Development Plan Policies**

### Charnwood Local Plan 2011-2028 Core Strategy

Policy CS1 – Development Strategy outlines that provision will be made for at least 5,000 new homes in Loughborough and Shepshed, including a sustainable urban extension to the west of Loughborough of approximately 3,000 homes, approximately 1,200 homes within and adjoining Shepshed and sustainable development which contributes towards meeting the Council's remaining development needs.

Policy CS2 – High Quality Design – requires new developments to make a positive contribution to Charnwood resulting in high quality inclusive design which responds positively to its context and results in places where people would wish to live. New developments should respect and enhance the character of the area, having regard to scale, density, massing, height, landscape, layout, materials and access arrangements. The policy also requires new development to protect the amenity of people who live and work nearby and those who will live in the new development.

Policy CS6 – Employment and Economic Development – sets out how the economic needs of the community might be met, including the provision of opportunities for manufacturing businesses to develop, re-locate and expand and the provision of small-scale, high-quality business units and offices.

Policy CS8 – Regeneration of Shepshed – seeks to support developments which contribute to the vitality and viability of Shepshed in accordance with Policy CS9; supports proposals that provide managed workspaces and small business startup space and supports development that improve access to community facilities.

Policy CS14 – Heritage – this requires development to conserve and enhance historic assets for their own value and the community, environmental and economic contribution they make. This will be achieved by requiring development to protect heritage assets and their setting; supporting development which prioritises the refurbishment and re-use of disused or under-used buildings of merit; supporting development that is informed by and reflects relevant Landscape and Conservation Area Character Appraisals and Village Design Statements; and development that incorporates Charnwood's distinctive local building materials and architectural details.

Policy CS25 – Presumption in Favour of Sustainable Development – sets out that the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It pledges to work proactively with applicants to jointly find solutions to approve development wherever possible to secure improvements to the economic, social and environmental conditions in

an area. Planning applications that accord with the policies in the Core Strategy will be approved without delay unless material considerations indicate otherwise.

### Borough of Charnwood Local Plan

Policy ST/2 – Limits to Development - States that built development will be confined to allocated sites and other land within the Limits to Development identified on the proposals map, subject to specific exceptions.

Policy EV/1 – Design - seeks to ensure a high standard of design and sets out nine design criteria which new developments should satisfy. These include the requirement for new development to respect and enhance the local environment, including the scale, location, character, form and function of settlements. Development should be of a design, layout, scale and mass which is compatible with the locality and neighbouring buildings. It should also safeguard the amenities of adjoining properties, particularly the privacy and light enjoyed by adjoining residents.

Policy TR/18 – Parking in New Development indicates that planning permission will not be granted for development unless off-street parking for vehicles, including cycles, and servicing arrangements are included to secure highway safety and minimize harm to visual and local amenities. The guidance indicates that a dwelling of up to 3 bedrooms should be provided with 2 car parking spaces and those dwellings with more should be provided with 3. The policy does however clearly state that these standards should be used as the starting point in assessing the level of provision and represent the maximum level. The quantity of parking allowed should reflect the proposed use and the location of development, the availability of public off - street parking; the current or potential accessibility by non-car modes and the scope for practical measures to significantly reduce the use of private car trips to and from a site.

### **Other material considerations**

#### The National Planning Policy Framework (NPPF) 2021

The National Planning Policy Framework (NPPF) is a material consideration in planning decisions. The NPPF contains a presumption in favour of sustainable development.

Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development.

Paragraph 8 explains that achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The overarching aims are:

- An economic objective – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places to support growth and innovation
- A social objective – supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations, and by creating a high quality built development with accessible local services;

- An environmental objective – contributing to protecting and enhancing our natural, built and historic environment.

Paragraph 10 states at the heart of the Framework is a presumption in favour of sustainable development.

Paragraphs 15-33 set out that the planning system should be genuinely plan-led and that succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities and a platform for local people to shape their surroundings. Paragraph 31 states that the preparation and review of all policies should be underpinned by relevant and up-to-date evidence.

Paragraph 38 indicates that local planning authorities should approach decisions on proposed development in a positive and creative way and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers should seek to approve applications for sustainable development where possible.

Paragraph 47 of the NPPF states that planning law requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 55 sets out that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.

Paragraph 56 states that planning conditions should be kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects

Paragraph 86 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation and sets out how planning policies should do this.

Paragraph 111 states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 119 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.

Paragraph 185 requires that decisions on planning applications should ensure that new development is appropriate for its location taking into account the likely effects of

pollution on health, living conditions and the natural environment, including mitigating noise.

Paragraph 189 states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 190 indicates that plans should set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

Paragraph 195 states that local planning authorities should identify and assess the particular significance of any heritage asset affected by a proposal, including any development affecting its setting, taking account of the available evidence and any necessary expertise in order to minimize any conflict between the heritage asset's conservation and any aspect of the proposal.

Paragraph 199 sets out that in considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 202 provides that where a development proposal would lead to less than substantial harm to the significance of a designated heritage asset, harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

#### National Design Guide (2019)

The National Planning Policy Framework makes clear that creating high quality buildings and places is fundamental to what the planning and development process should achieve. This design guide, the National Design Guide, illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. It forms part of the Government's collection of planning practice guidance and should be read alongside the separate planning practice guidance on design process and tools.

As well as helping to inform development proposals and their assessment by local planning authorities, it supports paragraph 130 of the National Planning Policy Framework which states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

#### Planning Practice Guidance

The National Planning Practice Guidance (PPG) reinforces and provides additional guidance on the policy requirements of the Framework and provides extensive guidance on design and other planning objectives that can be achieved through getting good design. These include the consideration of local character, landscaping setting, safe, connected and efficient streets, crime prevention, security measures, access and inclusion, efficient use of natural resources and cohesive and vibrant neighbourhoods.

ID 26 - Paragraphs 001-003 states that good design matters and what this can achieve through good plan making. Paragraph 004 notes that weight can be given to outstanding or innovative design and developments of poor quality design should be refused. Paragraph 007 states that planning should promote local character. New development should be integrated within existing surroundings.

#### The Crime and Disorder Act 1998

This places a duty on the local planning authority to do all that it reasonably can to prevent crime and disorder in its area. The potential impact on community safety is therefore a material consideration in the determination of planning applications.

#### The Leicester and Leicestershire Strategic Growth Plan 2018

This document is a non-statutory plan but has been prepared and adopted by 10 partner organisations in Leicester and Leicestershire to provide a vision to address the challenges of the region until 2050. It identifies broad locations where development should take place and the infrastructure needed to deliver it which is envisaged to be delivered through local plans.

#### The Leicestershire Highways Design Guide (2018)

This is a guide for use by developers and published by Leicestershire County Council and provides information to developers and local planning authorities to assist in the design of road layouts. The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; and help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking required to be provided in new housing development.

#### Supplementary Planning Document - Charnwood Design (January 2020)

This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and

provide spaces and buildings that help improve people’s quality of life. The document is a material consideration in the determination of planning applications.

Shepshed Master Plan and Delivery Framework (2013)

This document provides a strategic vision and a flexible delivery framework to improve the overall economic health and vitality of the town centre, in response to halting its economic decline. The vision set out in the document includes the promotion of Shepshed as a historic market town, the enhancement of the retail offer, enhanced leisure facilities, improved visual appearance to the public realm, improved connectivity and the attraction of inward investment/new businesses.

Draft Charnwood Local Plan 2021-2037

The Draft Local Plan sets out the Council’s preferred options for draft policies which are yet to be tested through an Examination in Public before they can become part of the development plan for Charnwood. The policies therefore carry limited weight at the current time. These include policies which would seek to make provision for at least 19,716 homes between 2019 and 2036 and require these to be delivered to a high standard of design quality. This document also includes Draft Policy LP9 which seeks to support the well-being, character and amenity of our communities.

**Relevant Planning History**

<b>Reference</b>	<b>Description</b>	<b>Decision &amp; Date</b>
<b>P/75/2493/2</b>	Retention of spray shop with car park	Granted conditionally 15/01/1976
<b>P/81/0747/2</b>	Retention of spray shop and car park	Granted conditionally 09/04/1981
<b>P/86/2413/2</b>	Retention of spray booth and car park	Granted conditionally 23/12/1986
<b>P/88/0062/2</b>	First floor offices extension over existing workshop	Granted conditionally 26/05/1988
<b>P/92/1182/2</b>	Retention of spray booth and car park	Granted conditionally 02/07/1992/2
<b>P/97/1200/2</b>	Retention of spray booth and car park (Renewal of P/92/1182/2)	Granted conditionally 08/10/1997
<b>P/13/1000/2</b>	Extension to existing car storage unit	Withdrawn 11/08/2014
<b>P/20/1547/2</b>	Erection of replacement vehicle workshop unit to rear and erection of 2 storey extension to side, including internal re-arrangement of office/staff facilities on first floor	Granted conditionally 17/11/2020

**Responses of Statutory Consultees**

Local Highway Authority – advises that, in its view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development therefore does not conflict with paragraph 111 of the National Planning Policy Framework (2021).

Shepshed Town Council objects to the proposal stating the existing vehicle repair garage on this site is extremely busy with a constant traffic flow using the existing access off Loughborough Road. This road is very narrow with a footway only on one side and is a popular pedestrian route to schools, a nursery, toy library and other public facilities and additional traffic would not be acceptable. The Parish Council would ideally have liked to have seen vehicle tracking details and requests the application is refused.

Councillor Popley considers that the application proposal varies from that previously granted under P/20/1547/2) and the substantive changes warrant scrutiny. He notes that no comments were made in terms of the 2020 application by either the Town Council or the highway authority and it is considered that the structural and layout design changes warrant consideration now, in addition to the proposed change of use. The road is extremely busy during term times and extra vehicle movements could all add to issues experienced by existing highway users.

Councillor Radford comments that the entrance to the proposed application is narrow and serves a current vehicle repair garage and there is concern that the entrance will not be able to sustain more traffic movements. Loughborough Road is very narrow and very busy due to it serving Primary, Secondary and Special Needs schools and is often used by school buses. Loughborough Road only has a footway on one side which itself is narrow and insufficient in width for a pushchair or mobility scooter. Councillor Radford hopes that the highway authority would recommend the application for refusal.

The Council's Head of Regulatory Services (Environmental Health) – has no objections to the application, the proposed activities and the hours of operation.

### **Other Comments Received**

16 Loughborough Road – has concerns that any new building would overlook their garden and have a view into bedroom windows as the ground level at the application site is higher. There is also concern about increased traffic of people which would add to loss of privacy and increased traffic around an already busy junction.

24 Loughborough Road – queries the parking proposals/ground works that were initially submitted and later withdrawn from the application.

### **Non-Material Considerations which have been raised.**

Possible infringement of access rights to the owner of No. 24 – this is a private legal matter and outside the remit of the local planning authority in the determination of the application.

### **Consideration of the Planning Issues**

The main issues to be considered in the determination of this application are:

1. Principle of Development
2. Impact on the character and appearance of the street scene
3. Impact on Residential Amenity
4. Impact on Heritage Assets.
5. Highways Issues

### Principle of Development

The starting point for decision making on all planning applications is that they must be made in accordance with the development plan unless material considerations indicate otherwise. Policies in the adopted Core Strategy and the saved policies in the Borough of Charnwood Local Plan are therefore the starting point for consideration. Policies in the local plan relate to achieving high quality design for all proposals.

Policy CS1 outlines the development strategy for the Borough. The majority of growth which is not taking place at the edge of Leicester is planned for Loughborough and Shepshed. Policy CS1 states that the Council will plan positively for sustainable development in these settlements which contributes towards meeting development needs, supports the strategic vision, makes effective use of land and is in accordance with the policies of the Core Strategy.

Shepshed is considered to be one of the principal settlements in the Borough considered suitable for accommodating volume house building and employment development and this is reflected in Policy CS1 of the Core Strategy. The site itself is within the built-up limits of Shepshed and is therefore a sustainable location for new development due to the services and facilities available and good transport choices as alternatives to the private car. The development is therefore acceptable in principle. The site itself has a long established use for vehicle maintenance and servicing with several planning permissions relating to this use. It is considered that the proposed light industrial or storage use would not be at odds with the existing commercial activities which take place on the remainder of the site.

The principal of the development is therefore acceptable and considered to be in accordance with Policies CS1, CS6 and CS8 of the adopted Core Strategy provided design, impact on character and appearance of the street scene and residential amenity are considered acceptable.

### Impact on the character and appearance of the street scene.

Policy CS2 Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy and saved Policy EV/1 of the Borough of Charnwood Local Plan 2004 require that new developments should make a positive contribution to Charnwood, reinforcing a sense of place. Development should respect and enhance the character of the area, having regard to scale, massing, height, landscape, layout, materials and access, and protect the amenity of people who live or work nearby. Proposals should ensure a high standard of design that respects the character of the area and is compatible in mass, scale and layout.

The proposed building will largely replace an existing rather dilapidated storage building to the rear and is to be situated where there is currently an area of undercover storage. The site is surrounded by a retaining wall with fence above.

The new building will be lower than the existing 2-storey workshop and office building nearer the front of the site and will be located behind that building. It will also be lower than the current height of the screening fence on the side boundary which runs the full length of the site. The building would be constructed in block work for its first metre in height and then completed with metal profile cladding that would be silver/grey in colour and the roof would be similarly covered.

It is considered that the proposal would visually enhance the site improving its appearance from the neighbouring housing developments and that the proposal will be in keeping with existing 2-storey building in front of it. The proposal will therefore accord with Policy CS2 of the Charnwood Local Plan Core Strategy, saved Policy EV/1 of the Borough of Charnwood Local Plan 2004, the Council's Supplementary Planning Document on Design, together with guidance contained within the National Planning Policy Framework and the National Design Guide.

#### Impact on Residential Amenity

Policy CS2 of the Charnwood Local Plan 2011-2028 Core Strategy and saved Policy EV/1 of the Borough of Charnwood Local Plan 2004 require that new developments should consider the amenity of adjacent and future occupiers. The Council's adopted design guidance explains how elements of this are assessed. The principal considerations are the relationship to other residential properties both in terms of the built development, the proposed use and the impact on the living conditions of any nearby occupiers.

There are dwellings that surround the site. Two dwellings at 22 and 24 Loughborough Road are situated adjacent to the access to the garage business and these have gable ends adjoining Loughborough Road so that in reality their front elevations overlook the site. However given that the proposal is a light industrial or storage use (as compared with the vehicle repair activities on the remainder of the site) it is unlikely that there will be any significantly harmful impact to the occupants of these dwellings in terms of noise/odour etc.

The side boundary to the east is adjoined by a footpath with a bungalow further east and this is 24A Loughborough Road. This dwelling has a frontage onto Loughborough Road and a garden to the rear with a garage adjacent to the side boundary that would be 10.9m from the proposed building. The dwelling itself is at a similar elevation to the existing 2-storey workshop building due south of the proposed site and the dwelling itself is set significantly forward of the proposed building. Because of the height, siting and design of the proposed building, it is considered unlikely that there will be significant loss of light due to the orientation of the property and the existing ground levels and the proposal would not be over-dominant in terms of the rear garden impact or outlook from principal windows in that dwelling. Privacy will also be maintained.

The nearest dwellings to the rear at 5 and 7 Dovecote have rear garden depths of at least 30m whilst the other neighbouring dwelling to the side at 15 Dovecote is set back within its site and being 15m from the mutual side boundary with the application site. The existing screening on the rear boundary of the site which includes tall holly bushes is shown to be retained.

The existing vehicle repair business on the site appears to pre-date planning records and there are therefore no restrictions on its hours of operation. The proposed use of the new building included within this application is for light industrial activities or research and development or storage. The definition of light industrial use is "any industrial process which can be carried out in any residential areas without detriment to the amenity of that area, by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit". It is considered that given the small scale of the building and the restrictions on the use, it would be unreasonable to impose an additional restriction on the hours of use, as

activities would be potentially less disruptive than the existing potentially noisy activities at the site which are unrestricted in planning terms.

The relationship of the site to neighbouring dwellings therefore means that there is not likely to be an unacceptable loss of residential amenity. Consequently, it is considered that the proposal complies with Policies CS2, CS9 and EV/1 and the national guidance given in the National Planning Policy Framework.

#### Impact on Heritage Assets.

The proposed building lies approximately 40m from the nearest part of Shepshed Conservation Area. The site is clearly distinct from this with no inter-visibility and no impact on important views in or out. Accordingly the proposed new building is not considered to have any impact that stands to be assessed on the setting, appearance, significance or character of Shepshed Conservation Area.

The site lies within the Archaeological Alert area. However, this applies to the whole of Shepshed and it is considered that there would have been ground disturbance when other existing buildings on the site were first erected. Given this, it is considered unnecessary to attach a planning condition requiring archaeological investigation of the site.

The proposal therefore accords with the legislation and national guidance relating to Conservation Areas and the Archaeological Alert area as well as Policy CS14 of the Charnwood Local Plan Core Strategy and the guidance of the NPPF.

#### Highways Issues

The local highway authority is aware that the applicant was previously seeking permission for three individual units with an overall gross floor space of 65.2sqm and that revised documents now seek permission to construct two smaller scale units comprising 35sqm overall. The existing building to be demolished as part of the proposal and which is presently used for ad hoc storage amounts to approximately 48sqm.

Information supplied by the applicant's agent on 9<sup>th</sup> July 2021 envisages that the proposal is anticipated to generate one additional vehicle trip in the morning and one in the afternoon and the proposed development would be accessed from the existing site access onto Loughborough Road. This access is approximately 3.5m in width but reduces within the site to 2.3m. This is considered substandard for the type of use applied for and is not strictly in accordance with the minimum requirements set out within the Leicestershire Highways Design Guide. Whilst the Local Highway Authority remains concerned over the available visibility at the site entrance, it is also mindful that this is an existing situation. Considering that the quantum of the additional floor space proposed actually represents a reduction on the existing building footprint, it is not demonstrated that the proposed development would result in severe harm to the highway network in the context of paragraph 111 of the National Planning Policy Framework and on this basis, any refusal of the application on highway grounds could not be substantiated and would not be supported by the highway authority.

The highway authority acknowledges that the applicant no longer proposes to provide a formal car parking arrangement but given the proposed development represents a reduction in footprint on the existing situation, it is satisfied that current parking

arrangements are acceptable, and these allow adequate space for vehicles to park and turn within the site and exit in a forward gear.

### **Conclusion**

Decisions on applications need to be made in accordance with the adopted development plan policies and the material considerations that support them, including in this case the adopted SPD on Design.

The proposed building is small scale and located to the rear of existing commercial premises. It is considered that the scale of the building proposed and the uses sought are such that residential amenities to the nearest occupiers would not be significantly reduced to unacceptable levels. In addition, whilst it is acknowledged that Loughborough Road is a busy, narrow road and a popular route to local schools, the traffic expected to be generated by the proposal is insignificant and would, in any event, be less than the extant development for the site granted planning permission under P/20/1547/2. There is therefore no evidence that the development should be refused planning permission on highway safety grounds. The design and visual impact of the development is considered to be acceptable and no harm would occur to the street scene or to the character or appearance of the Conservation Area.

Accordingly, having regard to the above considerations, it is recommended that planning permission is granted conditionally as the development accords with Policies CS1, CS2, CS6, CS8, CS14 and CS24 of the Core Strategy and saved Policies EV/1 and TR /18 of the Borough of Charnwood Local Plan.

### **RECOMMENDATION:-**

Grant Conditionally

- 1 The development, hereby permitted, shall be begun not later than 3 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 Section 51 of the Planning and Compulsory Purchase Act 2004.
  
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:  
127190-004B – revised elevations – amended plan received 9<sup>th</sup> August 2021  
127190-002E – revised block plan received 9<sup>th</sup> July 2021  
Application forms  
Emails from agent dated 5<sup>th</sup> August 2021 and 9<sup>th</sup> August 2021 confirming proposed materials  
Design and Access Statement  
REASON: To define the terms of the planning permission.

- 3 Only those materials specified in the application shall be used in carrying out the development hereby permitted.  
REASON: To ensure the satisfactory appearance of the completed development.
- 4 The premises shall be used only for the purposes of light industry or research and development (Use Class E(g) (ii) and (iii)) or for storage and distribution (Use Class B8) and for no other purpose, including any other purpose in Class E. of the Schedule to the Town and Country Planning (Use Classes)(Amendment)(England) Order 2020, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, without the prior consent of the Borough Council.  
REASON: To ensure that the use remains compatible with the surrounding area.

The following advice notes will be attached to a decision

- 1 DEVELOPMENT PLAN POLICIES RELEVANT TO THIS DEVELOPMENT - Policies CS1, CS2, CS6, CS8, CS14 and CS25 of the Charnwood Local Plan (2011-2028) Core Strategy and Policies ST/2, EV/1 and TR/18 of the Borough of Charnwood Local Plan have been taken into account in the determination of this application. The proposed development complies with the requirements of these policies.
- 2 Planning permission has been granted for this development because the Council has determined that, although representations have been received against the proposal, it is generally in accord with the terms of the above-mentioned policy/ies and, otherwise, no harm would arise such as to warrant the refusal of planning permission.
- 3 The Local Planning Authority acted pro-actively through positive engagement with the applicant during the determination process. This led to improvements to the scheme to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with The Town and Country Planning (Development Management Procedure) (England) Order 2015.

