

Item No. 1

Application Reference Number P/17/1544/2

Application Type: Full **Date Valid:** 16/08//2017
Applicant: Mr Andrew Duncombe
Proposal: Retention of windows in side elevation of building and colour coating of extraction unit, lagging installed on the ducting pipe and ducting over the roof between buildings, wood burning flue and lighting currently installed on the building; to not install the timber cladding on building as approved in application P/15/2236/2 and proposed additional low level lighting and provision of additional landscaping (variation of P/15/2236/2)
Location: Wreake Valley Craftsmen Ltd
25 Rearsby Road
Thrussington
Leicestershire
LE7 4UD

This application is before the Plans Committee at the request of the Head of Planning and Regeneration given the site history and level of public interest in this and associated applications.

Description of the Application

The application site is located at the southern entrance to the village from Rearsby and is within the Limits to Development and outside, but adjacent to, the Conservation Area as defined in the Borough of Charnwood Local Plan. The site is also located 80m to the south west of the Holy Trinity Church, a grade II* Listed building. The site is currently occupied by factory premises which pre-dates 1948 and makes items of timber household furniture from processing the raw material to assembling the end product. The site currently comprises a large workshop building within the central area of the site, which replaced a number of smaller workshops and temporary storage buildings following the grant of planning permission (P/15/2236/2) in February 2016. A more historic range of brick-built two storey buildings run parallel to the roadside and the northern site boundary. The site slopes from the south to the north with the rear of the site being approximately 2.5m higher than Rearsby Road.

To the north east, the site is bounded by Rearsby Road where there is a 2m wide grass verge and low hedge. The south eastern boundary runs alongside a driveway leading to backland dwellings (31 and 35 Rearsby Road) and is bound by a close board fence. Beyond the driveway is the dwelling and curtilage at 31 Rearsby Road. To the west is no. 23 Rearsby Road and its private rear garden.

There are three separate elements to this application. These are:

1. Seeking retrospective planning permission for the retention of a number of unauthorised alterations and additions to the premises

2. A request not to implement works approved as part of a previous planning permission
3. Seeking planning permission for additional proposed development

The details of those three elements are:

1. Retrospective planning permission is being sought for the following:

i) Retention of two windows in the south-eastern side of the factory. They are each 3.5metres wide and 1.2 metres high and are fixed, closed white UPVC windows with clear glazing. They overlook the route of the approved, but not yet implemented, driveway to the proposed car park at the rear of the site. They are approximately 5 metres from the south eastern boundary of the application site. This boundary is defined by a mature hedge, more than 2 metres high which separates the site from a drive which provides access to houses situated behind the rear boundary of the application site. No 31 Rearsby Road is on the other side of this drive.

ii) Retention of dark brown colour coating of the extraction and ventilation unit, which is located close to the south western boundary and was approved as part of planning application P/15/2236/2. The purpose of this coating is to mitigate the impact of this structure and to ensure that it relates better to the dark brown cladding on the factory.

iii) Retention of lagging on the ducting pipe which links the extraction and ventilation unit to the front of the factory. The lagging is designed to provide sound insulation.

iv) Retention of ducting over roof between buildings. The extraction and ventilation unit takes dust and fumes away from work areas in the factory. Most of the ducting serving this unit is located inside the buildings. Ducting cannot be accommodated within the older industrial unit at the rear of the site, which has a lower ridge and eaves height than the new building at the front of the site. Consequently, 6.5 metres of ducting runs over the roof of the older building and then continues inside the new building at the front of the site.

v) Retention of wood burning flue. A stove in the factory is used for burning waste wood. It is currently served by a stainless steel flue which protrudes through the roof of the building, approximately in the centre of the various roofs of the buildings on the site. It currently extends 1.5 metres above the roof, at a total height of 5.7 metres.

The amended drawings show a flue which is 2.3 metres higher than the current flue, a total of 8 metres above ground level and the amended application now seeks permission for the installation of this higher flue, not the retention of the current flue which has proven to be ineffective.

Additionally, there is an existing 1 metre high flue next to the wood burning flue which would be retained. This is used in the summer to take away warm air from the wood burner. In the winter this excess warm air is used to heat the factory.

vi) Retention of lighting. The side (south-eastern) elevation of the buildings includes two external lights, one at 4 metres high and the other 2 metres above ground level

illuminating the rear of the property , which were not shown on the approved drawings.

2. The application requests that timber cladding which was approved by permission P/15/2236/2 is not now be added to the building. It was proposed that timber cladding would be applied to the new steel cladding on the front elevations (north-west elevations) of the two buildings at the front of the site. It was also proposed to be added to the new steel cladding on the side (south east) elevation of the forward most building on the site and also around the forecourt storage screen. Now that the buildings have been completed the applicants consider that the dark brown cladding finish to all of the new buildings is acceptable for an industrial premises in this location. They consider that the addition of timber cladding is now unnecessary.

3. The application seeks permission for the following:

i) New lighting is proposed to be attached to the south-east side and rear of the building to provide illumination of the approved access drive and car park, for the safety of employees. The lights would be fitted approximately 2 metres above ground level. They would be movement sensor operated and switched off between 8pm and 6am every day. The lighting which is retained by this application (see above) would be subject to the same controls.

ii) A 5-6 feet high laurel hedge is proposed to be planted to screen the side and front of the concrete wall around the forecourt storage area.

iii) Installation of polish shop extraction flue- Note that this proposal has been removed from the application.

Development Plan Policies

Charnwood Local Plan Core Strategy (adopted 9th November 2015)

The following policies are relevant to this application:

Policy CS1 – Development Strategy sets out the development strategy and directions of growth for the Borough.

Policy CS2 - High Quality Design requires developments to 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; protect the amenity of people who live or work nearby, provide attractive well managed public and private spaces; well defined and legible streets and spaces and reduce their impact on climate change.

Policy CS10 – Rural Economic Development aims to maximise the potential of the Borough's rural economy by 2028. It will do so by supporting the sustainable growth and expansion of businesses in rural areas, both through conversion of existing buildings and well designed new buildings. Provided that in all cases the scale and character of the development is designed and operated so as to cause no detriment to character and appearance of the countryside.

Policy CS14 – Heritage seeks to conserve and enhance historic assets. It supports proposals which protect heritage assets and their setting and which prioritise refurbishment and re use of underused buildings as part of sensitive regeneration schemes.

Policy CS16 - Sustainable Construction and Energy supports sustainable design and construction techniques.

Policy CS25 - Presumption in favour of sustainable development echoes the sentiments of the National Planning Policy Framework in terms of sustainable development.

Borough of Charnwood Local Plan (adopted 12th January 2004) (saved policies)

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant ones are:

Policy EV/1 - Design - This seeks to ensure a high standard of design and developments which respect the character of the area, nearby occupiers, and which are compatible in mass, scale, layout, whilst using landforms and other natural features. Developments should meet the needs of all groups and create safe places for people.

Material considerations

National Planning Policy Framework (NPPF)

Whilst all proposals must be determined in accordance with the development plan, the National Planning Policy Framework, (The Framework), is a material consideration in planning decisions. The Framework contains a presumption in favour of sustainable development and defines 3 roles a development must fulfil in order to be sustainable:

- An economic role – 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 role – 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 role – contributing to protecting and enhancing the natural, built and historic environment

In addition the Framework offers the following advice that is particularly relevant to the consideration of this proposal:

- Paragraph 17 sets out general principles

- Paragraph 58 lists a set of criteria that all development should seek to achieve, in order to ensure good design.
- Paragraph 66 states that applicants should work with local communities and that proposals that demonstrate this should be viewed more favourably
- Paragraph 109 seeks to minimise impacts on biodiversity and paragraph 118 states how this may be achieved in decision making as well as preventing new and existing development from being put at unacceptable risk of soil, air, noise or water pollution
- Paragraph 120 states that planning policies and decisions should ensure that new development is appropriate for its location. The effects (including cumulative effects) of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to adverse effects from pollution, should be taken into account.

National Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework.

Planning (Listed Building and Conservation Areas) Act 1990

Requires that special regard shall be had for preserving or enhancing the character of the Conservation Area.

Thrussington Neighbourhood Plan

The Thrussington Neighbourhood Plan is in draft form and, therefore, whilst it is a material consideration in the determination of this application, it is afforded only limited weight at this time. The following draft policies are relevant to the determination of this application:-

S1- Strategic Policy provides an overall guide to achieving sustainable development in the Parish, including through promotion of a Parish free from noise, air and light pollution and other harm.

B2 – New employment development encourages the creation and expansion of employment sites subject to certain criteria, including the protection of residential amenity.

D1 - Protection of Heritage Assets requires that new development must take account of its impact on heritage assets, designated and non-designated – seeking to protect and enhance them.

D2 - Design and Development Character promotes high quality design and offer a positive, contextually responsive contribution to Thrussington's historic built environment and landscape.

E4 – Landscape, Views and Conservation seeks to protect views and vistas which make a significant contribution to the character and setting of Thrussington.

Thrussington Conservation Area Appraisal (March 2013)

This document examines the historical development of the Conservation Area and describes its present appearance in order to assess its special interest. It is intended to inform planning proposals and decisions within the area.

Leading in Design (2005)

Provides guidance on design standards.

Relevant Planning History

P/15/2236/2 - Demolition of two industrial buildings and office block. Erection of 2 extensions to industrial unit (Class B1c) and change of use of first floor of existing building from industrial (Class B1c) to offices (Class B1a). Formation of access route and car parking to rear of site and new vehicular access onto Rearsby Road. - Approved

P/16/1528/2 - Discharge of Conditions 5, 6, 11, 12 and 13 of P/15/2236/2. Approved

P/17/1543/2 - Erection of sound proof boarding around existing extraction unit. Approved

Responses of Statutory Consultees

Charnwood Borough Council Environmental Health

No objection subject to the flue to the wood burner being increased in height.

The wood burner is designed for use in a smoke control area .It is approved for burning woodchip/MDF and wood off-cuts, all of which are used at Wreake Valley Craftsmen. It has been certified as exempt from requiring a waste permit from the Environment Agency, due to the type of material being burnt and, therefore, the only control is one of possible nuisance

The current exhaust stack is too short to ensure adequate dilution and dispersion of emissions and therefore has the potential to cause nuisance to neighbouring premises. Although it does comply with the Building Regulations ,which was confirmed by the applicant when first installed, it needs to be extended and this has been calculated in an air quality report submitted as part of the application, by 2.3 metres to ensure a final discharge height of 8 metres above ground level. Once installed this must be retained whilst the burner is in operation. The stack discharge point should also have no restrictive cowl that will prevent dispersion of emissions.

Environment Agency

No objection, but reiterate need to comply with the two conditions which it was recommended should be applied to application P/15/2236/2.

These relate to the implementation of mitigation required by a Flood Risk Assessment and measures necessary to manage any unexpected contamination found on site. They were imposed as conditions 3 and 4 of planning permission P/15/2236/2.

Thrussington Parish Council

The Parish Council is concerned that conditions attached to the original planning permission (ref P/15/2236/2) have not been complied with to the detriment of the village generally and neighbours in particular. They specifically refer to ongoing noise from the plant and the new parking area to the rear of the site which should have been completed before the new facility was brought into use. They consider that these matters need urgent attention.

In respect of the details of this application they make the following points:

Retention of Windows – no comment

Colour coating of extraction and ventilation unit, lagging of pipe and ducting between buildings – The colour coating referred to in this application has been applied and should be subject to a condition to ensure adequate future maintenance.

Wood burning flue – There have been obnoxious fumes from the flue. The material which is burnt needs to be restricted.

To not install timber cladding – The visual impact of the new buildings was accepted by the Parish Council on the basis of the original design which included cedar cladding. To retain an industrial painted steel appearance is at odds with original design and out of character with the village.

Installation of polish shop flue – Details are unclear; need to ensure that visual impact does not add to poor design of building.

Additional low level lighting – Should not be a problem subject to controls. Note that some existing lights currently shine into neighbours' homes.

Additional Landscaping – This is welcomed, but note that 1.8 metre high laurel will take 20-50 years to reach a height sufficient to screen the 7.5 metres high extractor. The submitted drawings are misleading as they show this planting at about 4 metres high.

Comment that neighbours have questioned the accuracy of the boundaries shown on the drawings; access to services will disturb neighbours and note impact upon visibility splay of neighbour's drive.

Amended Plans

In response to the submission of amended plans the Parish Council has stated the following in addition to their original comments.

Retention of Windows – Should be non-opening and conditioned accordingly

Colour coating of extraction and ventilation unit, lagging of pipe and ducting between buildings – No new comments

Wood burning flue – Proposed increase in height of flue would make it 0.4 metres higher than the extraction and ventilation unit, to the detriment of the appearance of the site and contrary to Policy CS2. This should have been better planned for and designed by the applicants.

To not install timber cladding – Now that permission has been granted (P/17/1543/2) to clad the extraction and ventilation unit, it would be out of place if the buildings were not now clad similarly .

Installation of polish shop flue – No comment as now omitted from the application.

Additional low level lighting – Should be acceptable subject to there being no lighting between 6pm-8am Monday to Friday or at all at weekends.

Additional Landscaping - No new comments.

Other Comments Received

Objections have been received from 12 neighbours, including a letter from a solicitor representing one of them.

Note that all of these comments were received before the application was amended by the deletion of the polish shop extraction flue. The consultation period for that amendment ended on 12th December 2017. At the time of writing this report no additional comments had been received. Any new comments will be reported to committee in the extras report

A number of neighbours make comments about the failure of the applicants to comply with the planning permission P/15/2236/2 and wish to express their dismay that the extract plant on the front of the building has been erected. They are unhappy to be asked to comment on works which have been carried out without planning permission. Neighbours refute the implication that the original proposal (P/15/2236/2) was acceptable to concerned residents.

They reiterate that in their view, the extraction unit was not included in the original proposal.

They express complaint about noise and disturbance from the extraction unit.

Frustration is expressed that they have been unable to comment on the unauthorised extraction plant, as an application to retain this feature has not been submitted to the council.

In respect of the current application their comments are:

Retention of windows

- A number of neighbours responded that they have no comments on this aspect of the application. Another considers that the windows should be soundproofed and obscurely glazed.

Colour Coating of extraction and ventilation unit, lagging installed on ducting pipe and ducting over roof between buildings

- Have made a significant improvement to the appearance of the extraction and ventilation unit and ducting pipes together with a reduction in noise levels, need to be retained.
- Little benefit from painting and the lagging is unlikely to be effective.
- Site now has the appearance of commercial premises and not light industrial wood working use.
- Adverse impact of ducting upon the character and appearance of the area.
- Ducting should have been contained within the buildings from the outset and not added to the outside of the building. This has resulted in overbearing impact and visual intrusion.

Wood burning flue

- Ongoing concern that the unacceptable noise level generated by machinery is in breach of condition 11 of planning permission P/15/2236/2 . There is a need for a full noise assessment and enforcement of this condition. Unhappy that being asked to comment on an additional source of noise, should not allow further development which could generate more noise.
- The wood burning flue already emits toxic fumes and ash .Question whether only waste wood is being burnt.
- There is no evidence how the proposed measures will improve noise impact from the development .Understand that the Council's Environmental Health Officer has raised concerns which should be supported.
- All noise attenuation measures on the site should be incorporated into a single planning application, evaluated and properly conditioned.
- Question whether proposed increase in height of flue is the only option and do not believe that other possible solutions have been properly considered.
- Adverse impact of additional flues upon the character and appearance of the area, concern that the flue will have to be higher than shown on application to meet Environmental Health requirements

Lighting

- Already extensive artificial lighting on the site which is directed towards neighbours and is left on at night. Should seek to reduce glare elsewhere on site if additional lighting is to be supported.

Not to install timber cladding

- Will have an adverse impact upon appearance of the building .Essential to soften impact of development and was a requirement of Council's Conservation Officer.
- Timber cladding would help to soundproof the building.

Polish Shop Extraction Flue (Note – now removed from application)

- Disappointed that it has been removed from the application as it would have replaced old noisy, smelly unit which is close to their property
- Consider that it would only increase problems of noise and fumes and should not be supported.

Landscaping

- Plans are incorrect and misleading as plants are shown 5-6 metres tall.
- Question effectiveness and purpose of additional landscaping.

Other comments

- Contrary to Neighbourhood Plan; specifically adverse impact upon Gateway Views
- Minor mitigation which is proposed is outweighed by the adverse impact of the development and associated activities.
- Parking must be provided in accordance with condition 10 of planning permission P/15/2236/2 as on-street parking associated with the business is creating traffic congestion and having an adverse impact upon highway safety.
- Need for a comprehensive approach to noise mitigation on this site and should not be dealing with a series of piecemeal applications.
- Question consultation periods over holiday periods on previous applications
- Moss on roof of old buildings used to provide habitat for birds and bats
- Question boundary of site and ability of applicant to provide landscaping as now proposed.
- General comments on historic development of the site
- Need for screening of neighbour's property
- Disturbance from workers smoking and using phones outside factory

Consideration of the Planning Issues

The key issues in assessing this application are considered to be:

- Principle of Development
- Design, Scale and Impact on the character of the area
- Residential Amenity
- The Planning Balance and Conclusion

Neighbouring objectors have disputed the lawfulness of the previously approved application (P/15/2236/2). However, the Local Planning Authority is content that P/15/2236/2 is a lawful planning permission. The application before members detailed in this report seeks planning permission for the three elements which are set out above only, and therefore should be determined on its individual merits.

Principle of Development

The application proposes the retention of various alterations and additions to the building; the non-compliance with approved plans and minor additional development.

Therefore, the principle of development as defined within policies CS1 and ST/2 is not a key consideration in the determination of the application.

Policy CS10 supports the broad principle of Rural Economic Development provided that in all cases the scale and character of the development is designed and operated so as to cause no detriment to the character and appearance of the countryside. Whilst the current proposals do not seek to expand the business operations, they seek to regularise various finishes and additions to the buildings and enhance landscaping, while not providing approved timber cladding.

The retention of the flues and ducting has a negative impact upon the appearance of the site, which in turn harms the scale and character of the development as they add clutter to the buildings. This harm is limited because the wood burner flue is set well back into the site. The ducting is more visible, but does not look out of place as part of this industrial development. Consequently, there is limited conflict with policy CS10.

Now that the new buildings have been completed, the dark brown metal cladding finish is considered to be acceptable in this location. This finish gives the whole site a coherent appearance. The addition of another material to parts of some of the buildings would be detrimental to integrity of the overall design and would not improve the character of the development. This could be seen to conflict with policy CS10.

In terms of the overall scale and character of the site the windows and lighting have very little impact.

The colour coating of the approved extraction and ventilation unit and the provision of additional planting seeks to reduce the visual impact of the site and therefore seeks to better comply with policy CS10.

On this basis there is no objection in principle to the development and the key issues for consideration are the design and appearance of the various proposals, the impact on the character of the area and the amenity of neighbours.

Design, Scale and Impact on the character of the area

Local Plan policy CS2 seeks to require high quality design that responds positively to its context. Policy CS2 and saved policy EV/1 also require that new development respects and enhances the character of the area in terms of scale, density, massing, height, landscape, layout, materials and access arrangements.

The site is outside of the Thrussington Conservation Area, however, it can be seen from within the Conservation area and therefore the impact on the Conservation area is a material consideration in the determination of the application. Section 72 of The Town and Country Planning (Listed Building and Conservation areas) Act 1990 requires that special regard should be had for preserving or enhancing the character and appearance of the Conservation Area. Policy CS14 of the Core Strategy also seeks to conserve and enhance heritage assets and their settings.

It is necessary to consider whether the three elements of this application, either individually or cumulatively, would have a detrimental impact upon the character and appearance of the area.

1. The retained features (windows in side elevation ;colour coating of the extraction and ventilation unit; lagging installed on ducting pipe; ducting over the roof between buildings; wood burner flue and lighting).

- In terms of the overall design and scale of the site the windows have very little impact because they are on the side elevation, 30 metres from the front of the site.
- The colour coating of the extraction and ventilation unit in the same dark colour as the cladding on the buildings has reduced the visual impact of this structure.
- The lagging to the existing ducting which links this unit to the building has an insignificant impact upon the appearance of the site and has the benefit of providing sound proofing.
- Due to their height, the retention of the flue and ducting has a negative impact upon the design of the buildings and the appearance of the site as they add clutter to the development. This harm is limited because the wood burner flue is set well back into the site. The ducting is more visible, but does not look out of place as part of this industrial development. While these structures are more visually intrusive than the existing buildings they are not detrimental to the character of the nearby Conservation Area or the setting of any nearby Listed Buildings.
- The existing lighting changes the character and appearance of the site when illuminated. The new lighting would be restricted to only be used between 6am and 8pm, when the character of the area is already changed to some extent by street lighting .The use of sensors and the hours of use would limit any impact. This limited visual intrusion would not be detrimental to the character of the nearby Conservation Area or the setting of nearby Listed Buildings.

It is therefore considered that this element of the application complies with policies CS2 and CS14 of the Core strategy (2015) and Saved Policy EV/1 of the Borough of Charnwood Local Plan (2004). It is also considered that this element preserves the character of the nearby Thrussington Conservation Area as required by Section 72 of The Town and Country Planning (Listed Building and Conservation areas) Act 1990.

2. Request not to add timber cladding.

Planning permission (P/15/2236/2) includes the application of timber cladding over the new steel cladding to the front elevations (north- west elevations) of the two buildings at the front of the site . It was also proposed to be added to the new steel cladding on the side (south east) elevation of the forward most building on the site and also around the forecourt storage screen.

The original purpose of this cladding was to improve the appearance of the site in general and in particular because of its relationship with the Thrussington Conservation Area. Now that the buildings have been completed, it is considered that the dark brown cladding finish to all elevations of the new buildings is acceptable

for an industrial premises, in this location. The dark metal finish gives the whole site a coherent appearance. The addition of another material to parts of some of the buildings would be detrimental to integrity of the overall design and would not improve the character or appearance of the development.

It is noted that the recently approved (P/17/1543/2) sound proof boarding to the extraction unit is to have a natural timber finish. This is a separate, vertical structure where the application of a different material would not look out of place.

It is therefore considered that this element of the application complies with policies CS2 and CS14 of the Core strategy (2015) and Saved Policy EV/1 of the Borough of Charnwood Local Plan (2004). It is also considered that this element preserves the character of the nearby Thrussington Conservation Area as required by Section 72 of The Town and Country Planning (Listed Building and Conservation areas) Act 1990.

3. The new development

The new lighting would change the character and appearance of the site when illuminated. The new lighting would be restricted to only be used between 6am and 8pm, when the character of the area is already changed to some extent by street lighting. The use of sensors and the hours of use would limit any impact.

The 5-6 feet high laurel hedge would mitigate the impact of development and improve the appearance of the development. The submitted plans indicate that the hedge would have a height of between 1.6 and 1.9 metres (approximately 5-6 feet) . This type of planting will immediately soften the appearance of the site and mitigate the impact of the concrete wall to the front yard, which was originally proposed to be clad in timber. It is accepted that it would be some time before it reached the height of the extraction unit. It is more realistic to see it as additional planting to the benefit of the appearance of the overall site, rather than expecting it to reach more than 7 metres in height. It is therefore considered that this element of the application complies with policies CS2 and CS14 of the Core strategy (2015) and Saved Policy EV/1 of the Borough of Charnwood Local Plan (2004). It is also considered that this element preserves the character of the nearby Thrussington Conservation Area as required by Section 72 of The Town and Country Planning (Listed Building and Conservation areas) Act 1990.

It is considered that the proposals would not have an adverse impact upon the setting of nearby Listed Buildings. This is because the application site is usually only seen together with these Listed Buildings when approaching the village from the east. At that distance the site is viewed as part of the buildings which make up the village, separate from Listed Buildings on Church Lane, particularly the Grade II* Holy Trinity Church. Closer into the village on Rearsby Road, intervening buildings and vegetation isolate the site from these Listed Buildings. Similarly, these alterations do not significantly change the relationship between the application site and the Conservation Area.

Neighbours have referred to the adverse impact of this development upon a gateway into the village, which they consider is contrary to the Neighbourhood Plan. Policy E4 of the Thrussington Neighbourhood Plan seeks to protect views and vistas which

make a significant contribution to the character and setting of the village. The various elements of this application have little impact upon the overall character and appearance of this part of the village and consequently would not be contrary to Policy E4, which can only be given limited weight.

Residential Amenity

Policy CS2 requires new development to protect the amenity of people who live or work nearby. Saved Policy EV/1 states that planning permission will be granted for new development which safeguards the amenities of adjoining properties, particularly the privacy light enjoyed by adjoining residential areas.

The elements of this application which are likely to have most impact upon the amenities of neighbours are fumes from the wood burner flue and disturbance from external lighting. New windows could allow noise to escape and they could also result in overlooking of neighbours.

There is evidence that the wood burner flue is too short to ensure the adequate dilution and dispersion of emissions. The proposed increase in height of 2.3 metres has been designed to overcome this problem.

Neighbours, particularly those at the rear of the application site, have complained about disturbance from existing external lighting. These lights, which are high on the rear of the building, illuminate an area behind the buildings. Existing lighting on the front of the building, where there is also street lighting, appears to be less intrusive.

This application proposes a series of lights fitted approximately 2 metres high on the side and rear elevations of the buildings. Planting, fences or walls on these boundaries provide good screening for neighbours. The lights would illuminate the approved drive and car park, where it has already been accepted that there would be some activity and disturbance from vehicles and pedestrians. Low level sensor controlled lighting, during the hours when the premises are already able to operate, would have limited adverse impact upon neighbours.

The application also proposes the retention of two lights, one at 2 metres high and another at 4 metres high at the rear of the building. These lights would be sensor controlled and limited to be used only between 6am and 8pm every day. It is also proposed that these would be sensor controlled.

The new windows are clear glazed and non-opening. Consequently, they do not allow noise to escape from the factory. There is very limited overlooking as the side boundary of the site is screened by mature planting.

Neighbours have complained that the site is operating in breach of condition 10 of planning permission P/152236/2 which requires the new car park to be available before the extensions approved by that permission are first brought into use. The applicant has explained that he is unable to provide the new parking until a satisfactory location and design is agreed for the polish shop, which currently occupies part of the proposed car park. That matter remains outstanding and would have to be subject to a separate new application.

It is therefore considered that the application complies with policies CS2 of the Core strategy (2015) and Saved Policy EV/1 of the Borough of Charnwood Local Plan (2004).

Conclusion

In conclusion, it is considered the various elements of this application, both individually and cumulatively, would not have a significantly adverse impact upon either the amenities of neighbours or the character and appearance of the area.

Overall therefore, there is no objection to the principle of development in terms of Policy CS1 and CS10 and the proposal would comply with policies CS2 and EV/1 with regard to the impact on the character and appearance of the area and the amenity of surrounding residential properties. The proposal is also considered to meet Policy CS14 with regard to its relationship with the character and setting of the conservation area.

RECOMMENDATION

Grant Conditionally

- 1 The development hereby permitted shall be carried out only in accordance with the details and specifications included in the submitted application and as shown on the drawings below:

Approved Drawings: 6786P-05 Revision N received on 28/11/17
6786P -04 Revision H received on 28/11/17
6786P-103 Revision Q received on 28/11/17

REASON : For clarity and the avoidance of doubt and to define the terms of the permission .

2. The chimney flue to the wood burner shall be erected in accordance with drawings 6786P-103 Revision Q and 6786P-04 Revision H within two months of the date of this permission. This approved development shall be thereafter retained and maintained as approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of protecting the amenity of nearby residents.

3. The two ground floor windows in the south-east elevation approved by this permission shall be retained and maintained as non –opening windows at all times.

REASON: In the interests of protecting the amenity of nearby residents.

4. The external lighting approved by this permission shall only be operated by activity sensor and they shall only be used between 6am and 8pm.

REASON: In the interests of protecting the amenity of nearby residents.

5. The screen planting shall be fully completed, in accordance with the details shown on drawings 6786P-103 Revision Q and 6786P-05 Revision N within the 2017/2018 planting season or in accordance with a programme previously

agreed in writing by the local planning authority. Any plants removed, dying, being severely damaged or becoming seriously diseased, within 5 years of planting shall be replaced in the following planting season by plants of a size and species similar to those originally required to be planted.

REASON: To make sure that the appearance of the development is satisfactory and to help assimilate the development into its surroundings.

6. The first floor windows to be retained in the north-west elevation of the existing building alongside the boundary with No. 23 Rearsby Road, shall be glazed with obscure glass which shall thereafter be retained at all times. Details of the glazing specification shall first be submitted for the approval in writing of the local planning authority. No changes shall be made to these windows nor shall any additional windows be inserted in this elevation thereafter.

REASON: To minimise the effect of the development on the privacy and amenities of nearby residents.

7. Before first use of the proposed vehicular access, visibility splays of 2.4 metres by 70 (or the maximum available within land under the applicant's control) metres shall be provided at the junction of the access with Rearsby Road. These shall be in accordance with the standards contained in the current County Council design guide and shall thereafter be permanently so maintained. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

REASON: To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety.

8. Before first use of the proposed vehicular access, it shall have been surfaced with tarmacadam, concrete or similar hard bound material (not loose aggregate) for a distance of at least 15 metres behind the highway boundary and shall be so maintained at all times.

REASON: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.)

9. No vehicular access gates, barriers, bollards, chains or other such obstructions shall be erected to the vehicular access.

REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic, including pedestrians, in the public highway.

10. The car parking and manoeuvring facilities shown serving the site shall be provided, hard surfaced and made available for use before the proposed warehouse extensions are first brought into use and shall thereafter be permanently so maintained.

REASON: To ensure that adequate off-street parking provision is made to reduce the possibilities of the proposed development leading to on-street parking problems in the area.

