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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 24 September 2024

To: Members of the Planning Committee

Cllr MJ Crooks (Chair)	Cllr C Gibbens
Cllr J Moore (Vice-Chair)	Cllr SM Gibbens
Cllr CM Allen	Cllr CE Green
Cllr RG Allen	Cllr E Hollick
Cllr CW Boothby	Cllr KWP Lynch
Cllr SL Bray	Cllr LJ Mullaney
Cllr MA Cook	Cllr H Smith
Cllr DS Cope	Cllr BR Walker
Cllr REH Flemming	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 24 SEPTEMBER 2024** at **6.30 pm**.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Manager

PLANNING COMMITTEE - 24 SEPTEMBER 2024

SUPPLEMENTARY AGENDA

10. 24/00593/FUL - UNITS 1-3 THE SIDINGS, MERRYLEES ROAD, DESFORD

Application for change use of industrial unit (class B2) to gymnastics club (class E).

Late items received after publication of main agenda:

Consultations:-

Since the committee extract was uploaded on 12/09/2024, we have received an additional 26 comments. The additional comments made the additional points, on top of the existing points raised within the existing committee report:

- 1) The Gymnastics club improves social skills amongst children
- 2) The club would be an asset to the community
- 3) Exceptions to Policy need to be made when considering such a community asset
- 4) The unit would be keeping the business in a local area
- 5) This is the best unit Josh has found, and it is ideal for the gymnastics use
- 6) The new unit could provide improved security for users.

Appraisal:-

- 1) Letter from Wards estate agents received on 20 September 2024.

OUR REF: HJW

20 September 2024

BullGnG Ltd



Dear Josh

SUBJECT TO CONTRACT

RE: Units 1-3 The Sidings, Merrylees Road, Desford, Leicestershire, LE9 9FE

Please see below responses to your queries in red:

- The length of time, the unit has been vacant. **The unit has been on the market since 11 March 2024.**
- if you have any class E units for rent as of now. **We have no properties suitable for use as a gymnasium available currently save for the subject property (subject to planning permission).**
- if there is anything similar to the unit that I'm trying to take on in the area **We have other industrial properties available in Hinckley, Barwell and Earl Shilton but nothing in the direct vicinity of the subject property, save for 15-17 Merrylees Industrial Estate which is fitted out as a food factory.**
- if there has been any other interest in the unit and what class usage they would've used it for **No other firm interest in the subject property at this time.**

Any queries in respect of the same please let me know.

Yours sincerely



Harry Ward BSc (Hons) MSc MRICS MNAEA MARLA
Ward Surveyors Ltd
Email: hward@wardsonline.co.uk

2) Additional information submitted by the applicant on 1 September 2024.

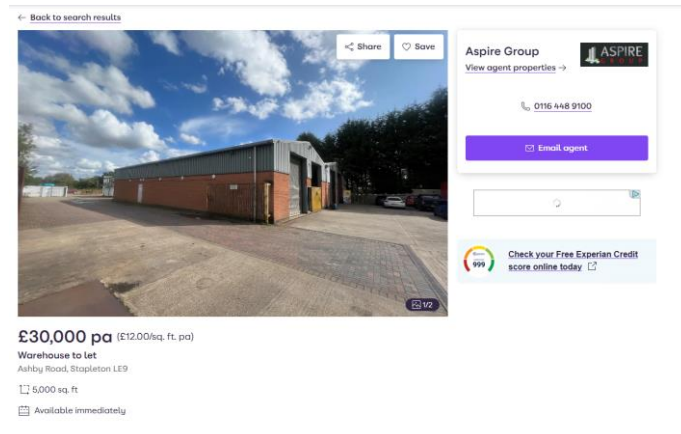
BullGnG Gymnastics – Units considered 2019 – 2024

Stapleton Garage Unit - Not Suitable for Current Operations – April 2024

The Stapleton Garage unit was considered too far for our existing customer base. It is located next to a petrol station, presenting multiple health and safety concerns. Additionally, the landlord had already rented part of the unit for furniture storage and leased the back area as a lorry yard, further reducing the available space.

The price per square foot was misrepresented at £12.00, and with the partially rented portions, the landlord was seeking between £4,000 to £4,500 per month for

approximately 3,000 sq ft. This made the unit financially unviable, especially given its distance from Desford, where most of our customers are located.



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£30,000 pa (£12.00/sq. ft. pa)

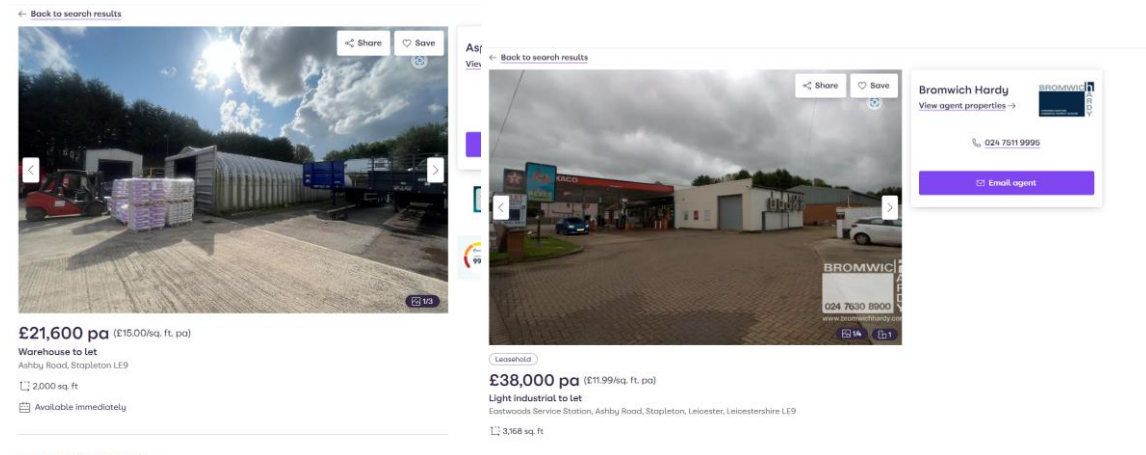
Warehouse to let
Ashby Road, Stapleton LE9

5,000 sq. ft

Available immediately

January 2024

This location also had this unit for rent earlier in the year that I considered this was set as an MOT garage and the landlord wanted the same business in it.



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£21,600 pa (£15.00/sq. ft. pa)

Warehouse to let
Ashby Road, Stapleton LE9

2,000 sq. ft

Available immediately

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£38,000 pa (£11.99/sq. ft. pa)

Light industrial to let
Fairwoods Service Station, Ashby Road, Stapleton, Leicester, Leicestershire LE9

3,168 sq. ft

I also considered the sheds at the back of this unit; however, they were unsuitable for gymnastics activities. Back in September 2021, I also made initial enquiries about taking on the unit but at the time he was looking to lease the whole area which wasn't a feasible option for our Gym Club financially.

30 May 2022 – Enquiry for Sparkenhoe Works Unit, Desford Road, Kirby Muxloe, Leicester, LE9 2BF

18th November 2021 I initially enquired with the planning team at Hinckley and Bosworth council about this unit for change of use. I then decided it wasn't the right time to pursue this further.

On 30 May 2022, seeing that the unit was still available, I made inquiries about the Sparkenhoe Works unit with Michelle Smalley, the property owner. Although the unit had been vacant for some time and owned by the Sparkenhoe company, little to no work had been done on it for several years. There was over £30,000 required just for new lighting, along with many other expenses needed to make the

space suitable for a gymnastics club.

At £60,000 per annum, the rent was too high for us to manage as the space was way too big, and would require too many internal alterations to make it useable which the club couldn't afford. Ultimately, the space was rented out for storage purposes instead. Whilst they have now rented this particular space to a business there are still some of the same units available to rent now.



Other spaces were also available but unsuitable for gymnastics due to the height of the ceiling and supporting frames throughout the unit for upstairs.

← Back to search results

Unit 1 Sparkenhoe Works, Desford Road, Kirby Muxloe, Leicester, Leicestershire, LE9 2BF
£4,833 pcm £58,000 pa
£5.74 per sq ft
Business rates & charges may apply
SIZE AVAILABLE: 10,113 sq ft (940 sq m)
SECTOR: Office to lease
Lease details: Lease available date: Ask agent, Lease type: Long term

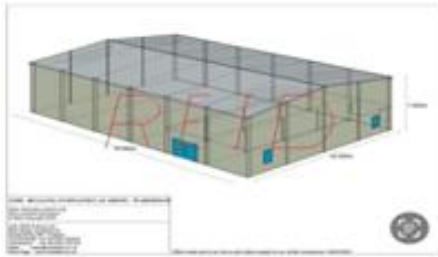
Unit 3A, Sparkenhoe Works, Desford Road, Kirby Muxloe, Leicester, Leicestershire, LE9 2BF
£2,292 pcm £27,500 pa
£7.49 per sq ft
Business rates & charges may apply
SIZE AVAILABLE: 3,673 sq ft (341 sq m)
SECTOR: Warehouse to lease
Lease details: Lease available date: Ask agent, Lease type: Long term

There was also a space at the back of the building but height restrictions again were a problem. It is noted that one unit has now been repurposed as a Dance School, again showing the need for more Cat E spaces, the demographic of work and facilities required and I believe the councils policies are outdated and no longer reflect the current need and demands.

Proposal for Building a Dedicated Space at the School

Prior to COVID, I approached Bosworth Academy about building a dedicated gymnastics club on some available land at the back of the school. However, the lockdown put these plans on hold. Now, the cost of building such a space has

become too high for the club to manage unless we are able to have external investors or a substantial grant offered. Additionally, the same parking issues we currently face would still persist with this option. In 2019 I was quoted £265,000 for a unit frame to be built.



Other properties available on Merrylees industrial estate



Other industrial Class B unit available as on 14/09/2024 that aren't suitable for a gymnastics club, they are all also in the Cat A zone, so I'd still be facing the same change of use issues. These units are all too big and costly for our needs.

- [Griffen Park, Peckleton Lane, Desford, Leicester LE9](#)
- [Unit 2 Griffen Park, Peckleton Lane, Desford, Leicester LE9](#)
- [Unit 3 Griffen Park, Peckleton Lane, Desford, Leicester LE9](#)
- [Unit 4 Griffen Park, Peckleton Lane, Desford, Leicester LE9](#)
- [Peckleton Lane, Desford, Leicester LE9](#)
- [Griffen Park, Desford, Leicestershire LE9](#)
- [Unit 2, Griffen Park, Desford, Leicestershire, 9Bz, United ...](#)



Non-quoting

Industrial to let
Griffen Park, Peckleton Lane, Desford,
Leicester LE9
From 103,679 - 508,050 sq. ft.*
New build industrial development
Up to 508,000 sq. ft. Strong labour pool
Golden triangle location
Build to suit industrial
development up to 500,000 sq. ft.
Construction of Units 1 & 2 are now ...
[read more >](#)

DHP.
Dove Haigh
Phillips



From
£959,028 pa (£9.25/sq. ft. pa)

Industrial to let
Unit 2 Griffen Park, Peckleton Lane, Desford,
Leicester LE9
From 103,679 sq. ft.*
*Immediately available
Strong labour pool
Golden triangle location
High quality unit
Brand new industrial/warehouse unit,
available immediately. Griffen Park's
sustainability focused ...
[read more >](#)

DHP.
Dove Haigh
Phillips



Non-quoting

Industrial to let
Unit 3 Griffen Park, Peckleton Lane, Desford,
Leicester LE9
From 110,000 - 170,000 sq. ft.*
New build industrial development
Design & build unit
Strong labour pool
Golden triangle location
Planning consent in place
Build to suit industrial
development up to 500,000 sq. ft.
Construction of ...
[read more >](#)

DHP.
Dove Haigh
Phillips



Non-quoting

Industrial to let
Unit 4, Griffen Park, Peckleton Lane, Desford,
Leicester LE9
From 175,000 - 510,000 sq. ft.*
New build industrial development
Design & build unit
Strong labour pool
Golden triangle location
Planning consent in place
Build to suit industrial
development up to 500,000 sq. ft.
Construction of ...
[read more >](#)

DHP.
Dove Haigh
Phillips



Non-quoting

Industrial to let
Peckleton Lane, Desford, Leicester LE9
From 180,000 - 1,651,220 sq. ft.*
The property comprises of three existing
buildings totalling 1.6m sq. ft.
Building C - Eaves 9.3m - 14.2m
12 docks and 12 level access doors
50kn/m2 floor loading
Office and ancillary ...
[read more >](#)

CUSHMAN & WAKEFIELD
Cushman & Wakefield



Non-quoting

Industrial to let
Griffen Park, Desford, Leicestershire LE9
From 100,000 - 510,000 sq. ft.*
Construction of Units 1 & 2 is now underway
with practical completion scheduled for Q1
2023. Units of up to 510,000 sq. ft. can also
be accommodated at Griffen Park on a design and
build ...
[read more >](#)

CUSHMAN & WAKEFIELD
Cushman & Wakefield



Non-quoting

Industrial to let
Unit 2, Griffen Park, Desford, Leicestershire,
982, United ...
From 103,679 sq. ft.*
A new 103,679 sq. ft. distribution unit under
construction at Griffen Park, Desford.
Griffen Park, Leicester's location allows access to 95%
of the UK within a 4.5 hour drive. [read more >](#)

CUSHMAN & WAKEFIELD
Cushman & Wakefield

I enquired in 2019 about unit 19c Meridian north meridian business park – they advised they couldn't accommodate a gymnastics club on the industrial estate.

January 2023 – West Street Enderby. Advised the industrial estate wouldn't rent to

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a gymnastics club.

Peckleton industrial estate – I have explored options here for a unit and have been in regular contact with the site manager who has sent over a number of gymnastics units but none have been a suitable size and space for a gymnastics club – I believe these would also face the same change of use issue I'm currently facing.

Estate agents that I have been in contact with for at least the last 4+ years, that send me regular units through;

Wards Estate agents
Andrew Ashwell
Innes England
APB Property consultants

- 3) Additional information received from Estates & Asset Management team confirming the floor space for each of HBBC's units at Merrylees Industrial Estate.

The units are all let and there is demand for any units that may become available for E(g), B2 & B8 uses.

Merrylees Industrial Estate

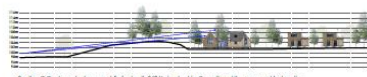
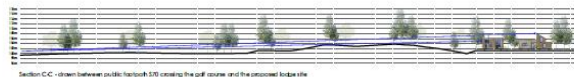
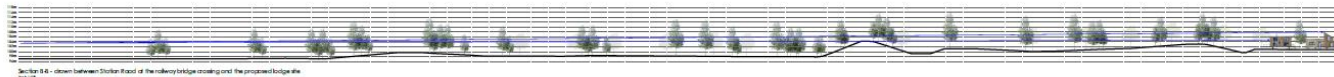
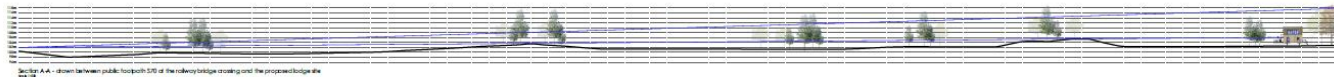
Unit	Sq.ft	Unit	Sq.ft
1	702	A	2,282
2	664	B	1,852
3	664	C	1,847
4	662	D	1,853
5	705	E	1,853
6	673		
7	1,296		
8	1,329		
9	1,290		
10	1,900		

12. **24/00513/FUL - KYNGS GOLF AND COUNTRY CLUB, STATION ROAD, MARKET BOSWORTH**

Application for erection of four golf holiday lodges and associated works (resubmission of 24/00027/FUL).

Late items received after publication of main agenda:

Additional landscaping plan received on 23 September 2024.



14. 22/00661/FUL - MULBERRY FARM, HIGH STREET, STOKE GOLDING

Application for demolition of the existing Mulberry Farm buildings, retention of Mulberry Farmhouse and proposed erection of 25 residential units with associated parking facilities, amenity space, landscaping, village green, pond and paddock.

Late items received after publication of main agenda:

Consultations:-

- 1) The description of development still refers to the ‘pond’ which has subsequently been removed from the proposal in place of an alternative drainage solution as agreed with the LLFA and other consultees.

The new description should therefore read:

“Demolition of the existing Mulberry Farm buildings, retention of Mulberry Farmhouse and proposed erection of 25no. residential units with associated parking facilities, amenity space, landscaping, village green, drainage and paddock”

- 2) Additional comments received from Stoke Golding Parish Council on 20 September 2024:

Whilst Stoke Golding Parish Council have been consulted on 5 submissions of this Planning application, new information has come to light within the Planning Department's report issued on 12 September 2024. The Parish Council would like to respond to the report.

Background

The Stoke Golding Neighbourhood Plan (SGNP) was 'made' in March 2022, and a subsequent review of the plan was 'made' in May 2024. Our Neighbourhood Plan is therefore an up to date Development Plan Policy against which all planning applications must be considered.

The SGNP is written both to give the local community the opportunity to shape the future of their Parish, but also to contribute to the national achievement of sustainable development.

Paragraph 12 of the NPPF states

"Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted"

Since the start of the plan period (2020 to 2041), 200 of the minimum 235 dwellings of the minimum housing Requirement as outlined in Policy SG2 are already delivered, or have been approved on greenfield land. It is intended that the balance will be delivered within the settlement boundary via Infill Developments and the allocation of the site at Mulberry Farm.

Mulberry Farm is situated on battlefield land, however the farm buildings are in poor condition and this part of the farm has been designated as an 'improvement area'. Following discussions with HBBC Planning and Conservation officers in March, Policy SG 3 was written. The policy carefully defines site boundary so that it aligns most of the footprint with the existing footprint of the buildings (the brownfield component) so as not to encroach on the Registered Battlefield.

We continue to support development at this site provided that it complies with policies of the Stoke Golding Neighbourhood plan and is done in a sensitive manner which is sustainable, and mindful of the heritage and conservation issues, however the application still fails to address our key issues:

1. This application extends beyond the site allocated by Policy SG3 of the Neighbourhood Plan and extends beyond the settlement boundary.
2. As such, the footprint extends into the Countryside and violates the Countryside Policy SG7.
3. It also extends onto undeveloped battlefield land and erodes not only part of the Registered Battlefield but also an area of ridge and furrow which is described as a Non-designated Heritage Asset in Policy SG14. According to the NPPF (para 206) the impact on the Registered Battlefield is a key material consideration in the assessment of this planning application.
4. The Housing Mix contains too many four and five bedroom homes, and no evidence has been provided which supports this mix. Therefore the application violates policy SG5.

Within the village, the needs of people living locally has already been ignored by developers of major sites. No one bedroom properties have been provided at all, which is a growing issue for the borough. Of the 190 dwellings approved in major developments over the last 4 years, 39% of the market dwellings contain 4 or more bedrooms against a need of only 15%. This application would further exacerbate this issue.

Within the village, the needs of people living locally has already been ignored by developers of major sites. No one bedroom properties have been provided at all, which is a growing issue for the borough. Of the 190 dwellings approved in major developments over the last 4 years, 39% of the market dwellings contain 4 or more bedrooms against a need of only 15%. This application would further exacerbate this issue.

5. From the outset, the intentions of Stronghold Homes with regard to the provision of affordable housing has been unclear. Their Planning Statement was been heavily caveated and stated:
“ a Financial Viability Assessment is being undertaken to establish the level of affordable housing and contributions which can be provided without impacting on the schemes’ viability. “

The planning statement was written in June 2022 but the Parish Council were unaware of the findings until the Planning Officers Report was issued.

On reviewing the Planning Department’s Report, the Parish Council have further fundamental concerns regarding the sustainability of this application:

Sustainability

In November 2023 the applicant submitted a Financial Viability Report. The report was assessed by an independent Financial Viability Assessor. The applicant and assessor Aspinall Verdi concluded that the scheme was not sufficiently viable to be able to provide National policy required levels of affordable housing and Section 106 contributions.

What does this mean for the Parish?

Firstly National Guidance includes a requirement for 40% of affordable housing to be provided on sites of 10 dwellings or more. In this case 8 affordable rent and 2 shared ownership dwellings should be included in the development. If this requirement is waived, then the opportunity to provide 10 affordable housing dwellings within the village will be lost.

Secondly, It concludes that the developer cannot afford to make any Section 106 contributions. As you know, these contributions are essential to support local services in sustaining occupants of the development and include contributions towards the provision of education, healthcare and play spaces. The contribution required to make this development sustainable is calculated as £273,000. The developer has subsequently offered to meet less than 1/3 of this amount.

Paragraph 7 of the NPPF:

“The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

This application does not therefore constitute sustainable development in the view of the PC.

“The LCC Planning Obligations Team are objecting to the scheme on the grounds that without the S106 contributions, the necessary services and facilities cannot be provided and the proposal would therefore not constitute sustainable development.” (8.100 of the planning report). The Parish Council would agree with this statement.

Conclusion

The Parish Council does not agree with the Planning Officers implication that the site must be unviable if this application is not approved when 17 years of the development plan remain allowing adequate time for a more sustainable scheme to come forward. We continue to support development at this site, but not a development which violates & manipulates so many policies of the NP. Whilst small variations to the Market Housing Mix, the levels of provision of Affordable Housing and Infrastructure contributions outlined in Policies SG5,6 & 19 can be considered, it is not sustainable for development schemes to entirely disregard the requirements of all of these policies.

This application should be rejected as it fails to comply with an up to date Development Plan and does not constitute sustainable development.

Stoke Golding Parish Council

Recommendation:-

Condition to be added to planning application 22/00661/FUL – If Members are minded to approve the proposal.

Notwithstanding the provisions of Article 3, Schedule 2, Part 2, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any Order revoking and re-enacting that Order, no gates, walls, fences or other means of enclosure (except for those approved by this permission) shall be erected within the curtilage of the building/dwellings unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the external appearance of the development and preserve

the significance of the conservation area and registered battlefield to accord with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the requirements of the National Planning Policy Framework.

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