

Planning Committee 6 June 2023
Report of the Head of Planning (Development Management)

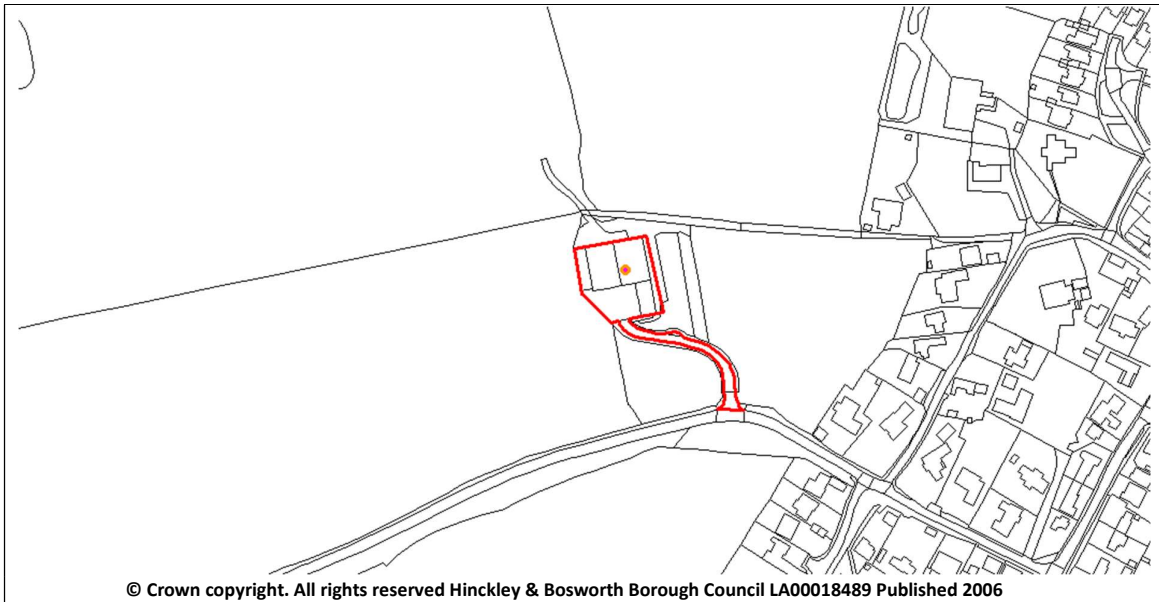


Hinckley & Bosworth
Borough Council

Planning Ref: 23/00239/FUL
Applicant: Mr Peter Simpson
Ward: Twycross Sheepy & Witherley

Site: Extra Room Self Storage Drayton Grange Farm Drayton Lane Fenny
Drayton Nuneaton

Proposal: Proposed extension to self-storage unit (B8 Use: Storage and
Distribution)



1. Recommendations

- 1.1. Grant planning permission** subject to:
- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1.** This application seeks planning permission for an extension to the self-storage unit (B8 Use: Storage & Distribution). The proposal is for an extension on the eastern elevation of the self-storage facility with a proposed additional footprint of 926 sq. metres effectively mirroring the eastern elevation of the original building(s).
- 2.2.** The proposed extension will be sited on the area shown in the photo below. This is a disused open area surfaced with hardcore and grassed between the existing building and the landscape buffer to the east.
- 2.3.** The only external lighting will be one emergency sign above a fire door.

3. Description of the Site and Surrounding Area

- 3.1.** The application site is located to the west of Fenny Drayton in the countryside. The area is agricultural in nature with the application site surrounded by fields on all sides. Extra Room Self Storage provides indoor storage for business customers and private individuals. The store provides a variety of different room sizes from 10 to 200 sq.ft dependent on the requirements of the customer. The site previously consisted of two

agricultural buildings, which were converted into a self-storage facility in 2011 (application ref: 11/003331/COU).

- 3.2. In 2014, the two buildings were linked, so both could make use of the lift situated in the larger building under planning application 14/01087/FUL. The building was then extended in 2016 due to high demand under application 2015/0871/04/HCON.
- 3.3. The resulting development has created secure, high quality, agricultural barn style buildings housing modern self-storage rooms for local businesses and homes.
- 3.4. The site is accessed using a concrete driveway from Church Lane which is secured by an electric gate. The buildings are situated some 120 metres away from the nearest residential property on Drayton Lane with slightly longer distances to other residential properties along Church Lane. The nearest major conurbations are Hinckley, Bosworth and Nuneaton (all 5 miles away).
- 3.5. The site area is 0.3536 ha as shown edged red on the attached site location plan.



- 3.6. The proposed site is approximately 1.75m lower than the eastern boundary which is defined by a planted buffer of evergreen and deciduous trees approximately 15m wide. The northern boundary is defined by a post and wire fence and evergreen tree planting. Immediately beyond the boundary a public right of way passes the site connecting Fenny Drayton in the east to Witherley in the west. Immediately to the north of the footpath is a mature well maintained native hedge approximately 2m high.

4. **Relevant Planning History**

05/00288/COU

- Change of use to self-storage and caravan storage
- Permitted

- 24.05.2005

05/00757/COU

- Change of use to self-storage
- Permitted
- 09.09.2005

05/01260/CONDIT

- Change of use of farm buildings to self-storage and caravan storage without compliance of condition 4 of planning permissions 05/00288/COU and 05/00757/COU which refer to the lease, sale and disposal of the site
- Permitted
- 18.01.2006

06/01226/FUL

- Extension and alterations to storage building
- Refused
- 21.12.2006

08/00278/GDO

- Erection of an agricultural storage building
- Permitted
- 14.04.2008

08/01100/FUL

- Erection of grain store
- Permitted
- 14.01.2009

11/00331/COU

- Change of use of redundant agricultural buildings to self-storage accommodation including alterations to the exterior of the buildings.
- Permitted
- 04.07.2011

12/00285/CONDIT

- Variation of condition 3 of planning permission 11/00331/COU
- Approved
- 06.06.2012

14/01087/FUL

- Link extension to storage unit
- Permitted
- 23.12.2014

15/00871/FUL

- Extension of a storage unit
- Permitted
- 02.10.2015

17/00107/FUL

- Extension to self storage facility
- WDN
- 06.03.2017

5. Publicity

- 5.1. The application has been publicised by posting a site notice in the vicinity of the site. Neighbours were not sent letters initially as they do not touch the red edge site plan. Following the receipt of a letter of representation asking for neighbours to be consulted by letter all neighbours touching the blue edge site plan were notified by letter and a fresh site notice was displayed at the entrance gates of the application site.
- 5.2. 7 letters of representation have been received some in support of the proposal & some objecting to the proposal.
- 5.3. The comments made in support of the proposal are summarised below:
- The proposal complements an existing building/ business which is always neat and tidy
 - The proposal is well screened and a good distance away from neighbouring dwellings.
 - One neighbour stated they were bemused by the social media and notices around the village in relation to the proposal as this is far from the picture they know
 - The existing building always seems quiet and queues of traffic leading to the site haven't been witness.
 - Farmers need to diversify to remain sustainable. Varied business income helps this.
 - Increased usage and expansion of this business would have little or no impact on village residents.
- 5.4. The objection comments received are summarised below:
- The proposal would increase traffic throughout the village which would cause traffic issues as the village does not have the road infrastructure to support the proposal
 - The proposal will erode the village feel
 - The applicant seems to build farm barns and then convert them at a later date
 - This B8 Storage facility could be sold in the future and become even busier
 - There are often queues along Drayton Lane waiting for access
 - Fenny Drayton is not an industrial estate
 - The field labelled 505a in the NDP has a lot of biodiversity and is therefore not suitable for development
 - Concerns that neighbours were not notified and with the placement/content of the site notice

Officer response: Following concerns raised additional publication was carried out (see paragraph 5.1).

- It appears that normal planning rules do not apply to the applicant, and he is just granted pretty much whatever he wishes, why is this?
- The owner has more suitable barns that could be extended by his own property and away from the village
- The trees he has planted are not all evergreen and the Industrial buildings can clearly be seen from the village.
- Following the last permission a 'spite hedge' was planted along the fence line of properties on Church Lane to block views of the site from this perspective
- In 2017 the applicant applied for the same planning permission (17/00107) was withdrawn.

6. Consultation

6.1. The following consultees raise no objection, some subject to conditions:

HBBC Waste Services
Leicestershire County Council (Highways)
Environmental Health (Pollution)

6.2 HBBC Pollution- Noise
'What are the proposed hours of operation/ opening to customers?
The design and access statement states that the extension will be accessed internally and existing doors used- the proposed elevations show a roller shutter door on the southern aspect of the extension which may increase noise levels closer to existing residential properties. how will noise be managed?

Lighting

Is any additional external lighting proposed?'

6.3 Witherley Parish Council - Witherley PC considered this application at its April 2023 meeting. The council asks that the application goes to committee, and that the committee conduct a site visit.

Comments are: If this application should be permitted there should be conditional opening times e.g.: 7am until 10 pm. Screening of some kind could be installed to prevent car headlights from flashing into neighbour's properties in the dark evenings. The gateway could be moved further up the drive to eliminate the need for queueing vehicles blocking Drayton Lane. Any new planting should be of native species and not leylandii.

7. Policy

7.1. Core Strategy (2009)

- None applicable

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)

- Planning Practice Guidance (PPG)
- 7.4 Other relevant guidance
- Good Design Guide (2020)
 - Leicestershire Highway Design Guide (LHDG)
 - National Design Guide (2019)
- 8. Appraisal**
- 8.1. Key Issues
- Assessment against strategic planning policies
 - Impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon the highway
- Assessment against strategic planning policies
- 8.2. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (SADMP) set out a presumption in favour of sustainable development, and state that development proposals that accord with the development plan should be approved unless other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) and Site Allocations and Development Management Policies DPD (2016).
- 8.3. The application site is located within the countryside to the west of Fenny Drayton. Policy DM4 of the SADMP seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside by safeguarding it from unsustainable development. Development in the countryside will be considered sustainable where:
- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.
- 8.4. This application proposes the extension of an existing storage building to provide more storage for the existing self-storage business.
- 8.5. The self-storage business was established on a site under the same ownership approximately 300m to the west of the site, through planning permission ref: 05/00757/COU for the change of use from an agricultural building. An additional building for the extension of the storage business was refused due to the impact on the countryside. Subsequently, the business was extended through the change of use of a redundant barn building on the application site for the current application which is on the same parcel of agricultural land but with a separate access from Drayton Lane. The applicant has highlighted that following the approval of this planning application there would be 3 full time jobs and 1 part time job directly created by the business and 4 self employed full time jobs indirectly created by the

business through van drivers. The additional self-storage space would make a minor contribution to job creation and economic growth.

- 8.6. As the proposed development comprises the extension of an existing building, subject to enhancing the immediate setting, it is considered to comply with Policy DM4 of the SADMP. Additionally, the proposed development provides some economic growth and job creation which is supported by Policy DM4 of the SADMP. However, it should be noted that the economic benefits alone would not be significant to an extent that would justify the development if it wasn't an existing business.

Impact upon the character of the area

- 8.7. Policy DM4 of the SADMP seeks to ensure development does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.8. The application site is in the countryside and surrounded by agricultural fields. The site is visible from Drayton Lane, two public footpaths and areas in and around the properties along Church Lane, Fenny Drayton due to the slightly elevated position. The proposed extension to the existing storage building would be located beyond the eastern elevation of the building. The extension would extend the width of the existing building by approx. 19m with the eaves and ridge height to match the existing building. The proposed extension would reflect the materials used for the existing building. It is therefore considered that the proposed extension would be in keeping with the character and appearance of the existing building.
- 8.9. The existing land bank & landscape buffer on the eastern side of the site would screen the majority of views from Fenny Drayton. Views from Drayton Lane and the footpath to the south are reduced by the presence of vegetation bounding Drayton Lane. The footpath in close proximity to the north side of the building would be largely impacted for a short section however due to design and appearance of the building it is not considered that the enlarged building would change the users perception of the character of the area.
- 8.10. A large section of the proposed building would be located on an area of existing hardstanding. The applicant has submitted a landscape and visual appraisal as part of the application. The appraisal found that the site boundaries are well defined. The proposals would change the character of the site from an area of hardcore and grass, extending the existing development approximately 18m to the east, however, overall given the screening, scale and form of the development it is likely to have a negligible impact on the landscape character.
- 8.11. In terms of visual amenity, the visual envelope is well contained to the south, east and west with some limited, partial, long distance views of the upper part of the proposed building potentially available from the north. Residents on Church Lane and users of the far eastern section of public footpath T27 may view the proposal, however, these views of the proposed building extension will be in the context of the existing building. The proposed extension is approximately 18m wide and the same length and height as the existing building therefore it is likely that there will be a negligible change in the proportion of buildings in the view and the impact of the change in the view is therefore considered to be negligible. The proposed materials remain unchanged from the existing building and the existing buffer planting

effectively screens the self-storage facility from view including from the neighbouring village of Fenny Drayton. The level of screening will be enhanced as the buffer planting continues to mature over time. Thus the appraisal found that the impacts on visual amenity are likely to be negligible.

- 8.12. It is considered that the proposed extension would not impact the surrounding countryside by virtue of its scale, design and siting adjacent to the existing building, furthermore the associated landscaping would enhance the setting. Therefore, the development is considered to be in accordance with Policies DM4 and DM10 of the SADMP and the Good Design Guide.

Impact upon neighbouring residential amenity

- 8.13. Policy DM10 of the SADMP seeks to ensure that development proposals do not harm the amenity of neighbouring residential properties.
- 8.14. Paragraph 130 of the NPPF requires that development should ensure that a high standard of amenity is provided for existing and future users.
- 8.15. The proposed extension would be located on the eastern side of the existing building with the closest dwellings located east of the building and in excess of 120m from the nearest point of the proposed extension. It is therefore considered that the proposal is acceptable in terms of overlooking, loss of light or overdominance.
- 8.16. In reference to the Environmental Health officer's questions, the extended self storage building is proposed to be subject to the same opening times as the existing self storage business. The roller shutter door is purely for construction purposes and will not be operational after the building works are finished, therefore would not generate adverse noise or disturbance. The noise and disturbance generated by customers and vehicle trips associated with the additional self storage which would result from the extension would not have a significant additional material impact on the amenity of the occupiers of the adjacent dwellings.
- 8.17. The only external lighting would be one emergency sign above a fire door.
- 8.18. It is considered that the proposed change of use would not have an adverse impact on neighbouring amenity and is in accordance with Policy DM10 of the SADMP and the Good Design Guide.

Impact upon Highway Safety

- 8.19. Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.20. Paragraph 111 of the NPPF states that development should only be refused if there would be an unacceptable impact upon highway safety, or the residual cumulative impacts on the road network would be severe.
- 8.21. Access to the proposed extension would be via the existing access onto Drayton Lane. The access has a gate which is set back sufficiently from the road to allow a vehicle to pull clear of the highway whilst waiting for the gates to open. The section of road on which the access is located is a 30mph zone but is located close to a 60mph zone. Visibility splays towards the 60mph section of the road are in excess of 125m and 60m visibility can be achieved towards Fenny Drayton. LCC Highways (the LHA) commented that 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), subject to the conditions outlined at the end of this report.

- 8.22. The Applicant is proposing to utilise the existing access onto Drayton Lane. The Applicant has not submitted any detailed scaled drawings demonstrating the vehicular visibility splays. Given the proposals would lead to an intensification of use of the access, the LHA have undertaken its own assessment and find that 2.4m x 43m to the southeast and 2.4m x 215m to the southwest can be achieved. This would accord with Table DG4 of Part 3 of the LHDG. Taking the above into consideration, the LHA find the access arrangement acceptable for the proposed use.
- 8.23. The LHA has checked its Personal Injury Collision (PIC) database and there have been no recorded PICs within 230m to the southeast of the access to the junction of Drayton Lane/Old Forge Road, and 500m to the southwest. The LHA would not expect the level of extra trips associated with the proposals would exacerbate the existing highway situation.
- 8.24. The Applicant undertook a survey within the site of vehicles visiting the site from 16 January 2023 until 29 January 2023. This included vehicle types, and the times the vehicle accessed the site. This demonstrated that a minimum amount of vehicles visiting the site in any one day was 8 and the maximum was 16, with 166 vehicles in total. The above information equates to an average of 11.9 vehicles a day with 24 x 2-way trips to the site a day. The methodology used by the Applicant for the expected trips to the site is based on the current level of trips to the site given the current Ground Floor Area (GFA) of 1,225sqm, and expected trips based on an additional 926sm² of floor space. Given the above the proposals could potentially generate an additional 9 vehicles (18 two-way movements) per day. During the morning and evening peak hours, this equates to one additional vehicle trip (2 two-way movements). The LHA accept the methodology used and the outcomes provided.
- 8.25. It is noted that PRoW T27 runs to the rear of the application site. The LHA are satisfied that the use and enjoyment of Public Footpath T27 will not be significantly affected, the Applicant should note the informatives at the end of this report. There is also a public right of way that crosses the access road leading to Drayton Lane. The number of additional vehicle trips associated with the storage would not have an adverse impact on the ability of the public to use the right of way or their enjoyment of the countryside.
- 8.26. The Applicant has stated that there are currently 5 full time and 5 part time members of staff currently employed at the site. Should the application be granted an additional 2 full time members of staff could be employed at the site, with the possibility of up to 9 members of staff being on site at any one time. The Applicant has indicated there are currently 12 car parking spaces, this would remain the same. However, having scaled from drawing 'Proposed Plan', received by the LPA on 16 March 2023, the LHA consider more than 12 LHDG compliant car parking spaces could be provided within the approximately 15m by 24m courtyard.
- 8.27. The additional self storage (B8) use should require additional car parking. However, it has been demonstrated that the business is only expected to involve 20 vehicle trips per day with customers staying a very limited amount of time. There is an existing large car parking area for customers. It is considered that the existing car parking

area is sufficient to cater for the needs of the existing and anticipated customers. As such the LHA consider the level of car parking acceptable.

8.28. It is considered that the proposed development would be served by sufficient car parking and would not have an adverse impact on pedestrian and vehicular highway safety. Being mindful of paragraph 111 of the NPPF and the comments of the Local Highway Authority it is considered that the proposal would comply with policies DM17 and DM18 of the SADMP and the LHDG subject to the conditions outlined at the end of this report.

8.29. Other Issues

8.30. A 2017 application was withdrawn due to issues being raised about landscaping. Since that time a substantial tree planting scheme has been undertaken. These landscaped areas will be maintained.

8.31. The publicity of the proposal was elaborated on above. All planning related points of objection have been dealt with in the body of the report.

9. Equality Implications

9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

9.3. There are no known equality implications arising directly from this development.

10. Conclusion

10.1. The proposed development comprises the extension of an existing storage building in the countryside. The proposal involves the extension of a building relating to an existing self-storage business on a well maintained site. The development would enhance the setting of the existing building and would provide some economic growth and job creation benefits. The development is in accordance with Policy DM4 of the SADMP.

10.2. The proposed extension would be on the western side of an existing 15m wide landscaping buffer area, more than 120m from the nearest neighbour. This buffer will mature over time & further enhance the existing screening. This planting would enhance the character of the area and countryside. The day to day operation of this business would not have a material impact on the amenity of the occupiers of any nearby dwelling and would not adversely impact on pedestrian and vehicular highway safety.

10.3. The proposed development is considered to be in accordance with Policies DM1, DM4, DM10, DM17 and DM18 of the SADMP.

11. Recommendation

11.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

11.2. Conditions and Reasons

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, details and materials:

- Proposed Site Plan (received on 16/03/2023)
- Proposed Elevations & Floor Plan (received on 16/03/2023)
- Proposed Site Plan (received 16/03/2023)
- Site Location Plan (received 16/03/2023)

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

3. The operating hours of the storage facility shall remain as they are for the existing business with the reception hours being Monday to Friday 08.30 to 18.00 & Saturday 09.00 to 14.00 only & the interconnected facility (self-storage area) with no condition governing hours of operation.

Reason: To ensure there are no adverse impacts on the amenity of the occupiers of neighbouring properties and to ensure the visual amenity of the countryside to accord with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD.

4. The landscape planting already in place shall be maintained in perpetuity. Any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted.

Reason: To ensure that the development leads to an enhancement of the setting of the application site to accord with Policy DM4 of the Site Allocations and Development Management Policies DPD'.

5. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with 'Proposed Plan', received by the LPA on 16 March 2023. Thereafter the onsite parking and turning provision shall be kept available for such use(s) in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward

direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2021).

11.3. Notes to Applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.

2.
 - a) Prior to construction, measures should be taken to ensure that users of the Public Right(s) of Way are not exposed to any elements of danger associated with construction works.
 - b) The Public Right(s) of Way must not be re-routed, encroached upon or obstructed in any way without authorisation. To do so may constitute an offence under the Highways Act 1980.
 - c) The Public Right(s) of Way must not be further enclosed in any way without undertaking discussions with the Highway Authority (0116) 305 0001.
 - d) If the developer requires a Right of Way to be temporarily diverted, for a period of up to six months, to enable construction works to take place, an application should be made to networkmanagement@leics.gov.uk at least 12 weeks before the temporary diversion is required.
 - e) Any damage caused to the surface of a Public Right of Way, which is directly attributable to the works associated with the development, will be the responsibility of the applicant to repair at their own expense to the satisfaction of the Highway Authority.
 - f) No new gates, stiles, fences or other structures affecting a Public Right of Way, of either a temporary or permanent nature, should be installed without the written consent of the Highway Authority. Unless a structure is authorised, it constitutes an unlawful obstruction of a Public Right of Way and the County Council may be obliged to require its immediate removal.