

Officer Report

Planning Ref: 26/00547/FUL

Applicant: Mrs Lisa Mathie

Ward: Hinckley Trinity



Site: Battling Brook Primary School Frederick Avenue Hinckley

Proposal: Replacement modular classroom

Case Officer: Zahra Jam-Rotbeh (Planning Officer)

1. Recommendations

1.1. **Grant planning permission** subject to:

- Planning conditions detailed at the end of this report.

2. Planning Application Description

- 2.1. The applicant seeks full planning permission for the replacement of modular classroom at Battling Brook Primary School , Frederick Avenue Hinckley. The proposed classroom would have a slightly smaller footprint than the existing building, with a reduced width but the same depth. It would retain the existing layout and a similar design.
- 2.2. The proposed replacement classroom would have an overall width of 10.58 metres and a depth of 15.58 metres. It would comprise two classrooms with a footprint similar to the existing building, together with a linking corridor of reduced depth that would connect the classrooms to the rest of the building. It would also have the same flat roof form as existing with a height of 2.87 metres and a height of 3.63 metres to the corridor link.
- 2.3. The proposed building would be finished with grey cladding to the external walls and an insulated flat roof system. The doors and windows would be fitted with polyester powder-coated, double-glazed, thermally broken frames, comprising grey-framed windows and blue entrance doors.

3. Description of the Site and the Surrounding Area

- 3.1. The application site forms part of the established school and is located within the existing educational grounds. The site currently accommodates a mobile classroom which is currently out of use but occupies a previously developed area of the school.
- 3.2. The surrounding area is characterised by existing educational buildings, hard surfaced areas, and associated school infrastructure. The proposed replacement building will replace the existing structure and continue the established educational use of the land.

4. Relevant Planning History

Commented [EB1]: Feel free to condense this down to applications which are relevant to the proposal.

03/01017/C

- REPLACEMENT CLASSROOM
- CC
- 29.09.2003

08/00615/C

- TEMPORARY PERMISSIONS FOR THE CONTINUED STANDING OF A DOUBLE MOBILE CLASSROOM (2008/L282/04)
- CC
- 08.07.2008

11/00528/C

- CONSTRUCTION OF NEW SIX CLASSROOM BUILDING AS REPLACEMENT FOR EXISTING MOBILE UNIT, EXTENSION TO EXISTING HALL AND THE PROVISION OF ADDITIONAL HARD PLAY AREA TO EXISTING SCHOOL (County Council Identity Number 2011/L525/04)
- CC
- 18.07.2011

89/01161/4

- RETENTION OF TEMPORARY MOBILE DOUBLE CLASSROOM
- PER
- 05.01.1990

84/00153/4

- STANDING OF TEMPORARY MOBILE DOUBLE CLASSROOM
- PER
- 11.04.1984

79/00003/4

- THE STANDING OF TEMPORARY ELLIOTTS DOUBLE MOBILE CLASSROOM
- PER
- 15.03.1979

89/01161/4C

- RETENTION OF ELLIOTTS DOUBLE MOBILE CLASSROOM FOR 5 YEARS
- CC
- 24.10.1989

89/00164/4C

- PROPOSED TEMPORARY ELLIOTT SINGLE MOBILE CLASSROOM

- CC
- 21.03.1989

5. Publicity

- The application has been publicised by sending out letters to local residents.
- No responses have been received.

6. Consultation

- 6.1. No objections have been received from HBBC Pollution.

7. Policy

7.1. Core Strategy (2009):

- Policy 1: Development in Hinckley

7.2. Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016):

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM25: Community Facilities

Commented [EB2]: Added because it is a school facility.

7.3. National Planning Policies and Guidance:

- National Planning Policy Framework (NPPF) (2024)
- National Design Guide (2019)
- Planning Practice Guidance (PPG)

7.4. Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2024)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon residential amenity

Assessment against strategic planning policies

- 8.2. The proposal is located within the settlement boundary of Hinckley and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 8.3. The proposed development comprises the replacement of an existing educational facility. Policy DM25 supports the provision of new community facilities in sustainable locations. As the proposal relates to the replacement of an existing classroom within an established school site, it is considered to accord with the objectives of Policy DM25. The site is accessible by public transport, with bus services available in the vicinity, and its location within a cul-de-sac is not considered to result in any harmful highway impacts. Furthermore, given the scale and nature of the development, it is unlikely to generate a significant increase in trips to or from the site. Accordingly, the principle of the development is considered acceptable.

Design and Impact upon the Character of the Area

- 8.4. Chapter 12 of the NPPF confirms that good design is a key aspect of sustainable development, and the creation of high quality, beautiful, and sustainable buildings and places is fundamental to what the planning and development process should achieve.
- 8.5. Policy DM10 requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials, and architectural features.
- 8.6. The proposed modular classroom will be partly visible from Frederick Avenue and has been designed to provide accommodation comparable in scale to the existing facility while presenting a contemporary appearance. The external materials and finishes are to complement the character and appearance of the existing school buildings, whilst providing a modern learning environment. Given that the proposed classroom would have a footprint similar to the existing building and would represent an enhancement in terms of design and appearance, it is not considered that the development would have any adverse impact on the character or appearance of the main school building or the surrounding area.
- 8.7. The proposed fenestration would reflect the proportions of the existing building and is considered to be well balanced across all elevations. The development would incorporate grey-framed windows and blue doors whilst utilising modern, high-quality materials. As such, the proposed fenestration is considered to make a positive contribution to the overall appearance of the building and would enhance its design and visual quality.
- 8.8. Accordingly, the proposals are considered to be in keeping with the existing character of the school and surrounding area in accordance with Policy DM10 of the adopted SADMP.

Impact upon Residential Amenity

- 8.9. Policy DM10 of the SADMP seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties.

- 8.10. Given the proposed development would have a footprint and scale similar to the existing building and is located a substantial distance from any neighbouring residential properties, it is not considered that the proposal would result in any adverse impacts on any neighbouring amenities. therefore, the development is considered to comply with Policy DM10 of SADMP.

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.

- 9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. As outlined in the report the development complies with the relevant policies of the Development Plan therefore, taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

- 11.1 **Grant planning permission** subject to:

- Planning conditions detailed 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 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Proposed Plan and Elevations - J6307-30
- Block Plan - J6307-01
- Site Location Plan

along with application form all received by the local planning authority on 15 June 2026.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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 building.control@blaby.gov.uk or call 0116 272 7533.