

Delegated Report

Planning Ref: 25/00737/FUL

Applicant: M Mills

Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: Market Bosworth Sports Club Wellsborough Road Market Bosworth



Hinckley & Bosworth
Borough Council

Proposal: Resurfacing of existing car park

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The application seeks full planning permission to resurface a section of the existing car park at Market Bosworth Sports Club, Wellsborough Road, Market Bosworth.
- 2.2. The proposed area of car park to be resurfaced lies to the northern boundary to the east of the main access. It would measure approximately 5.00 metres x 2.50 metres for a total width of 117.49 metres to host 47 lined spaces and would be constructed out of tarmacadam hardstanding. Forward of the spaces the existing kerb would be raised.
- 2.3. Additional works to the site include the inclusion of white lines and a dedicated disabled space to the existing hardstanding to the north-east and north-west of the club house/pavilion building.

3. Description of the site and surrounding area

- 3.1. The application site relates to a sports ground with football and cricket pitches and a club house/pavilion building situated outside of the settlement boundary of Market Bosworth. It measures approximately 3.30 hectares and lies to the south of Wellsborough Road opposite the Bosworth Marina and to the west of the Ashby Canal Conservation Area. There are mature field boundary hedgerows to the southern and western boundaries and a lower (1.50 metres high) hedgerow along the northern boundary with Wellsborough Road. To the eastern boundary sits Ashby Canal and residential development.
- 3.2. The site is recognised within the Open Space and Recreation Study (2016) as being a designated open space within Market Bosworth (Reference; MKBOS06).

4. Relevant planning history

84/00685/4

- Erection of prefabricated concrete sectional garage
- Planning Permission
- 21.08.1984

89/01122/4

- Retention of garage

- Planning Permission
- 21.11.1989

94/00900/TEMP

- Retention of garage
- Planning Permission
- 21.12.1994

14/00264/FUL

- Demolition of existing club house and construction of a new club house/pavilion
- Planning Permission
- 10.07.2014

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. Following the publication no comments have been received.

6. Consultation

6.1. Canal and River Trust;

'Based on the information available our substantive response (as required by the Town & Country Planning (Development Management Procedure) (England) Order 2015 (as amended)) is that the Trust has no comment to make on the proposal.'

6.2. East Midlands Airport;

'Thank you for consulting with the aerodrome safeguarding authority for East Midlands Airport, we have no objection.'

6.3. HBBC Drainage;

'No objection on sustainable drainage grounds'

6.4. HBBC Environmental Health – Pollution;

'No objection'

6.5. LCC Ecology;

'No objection (for recommended conditions or informatives- see below)

REASON FOR RECOMMENDATION:

- *The application site is on the edge of Market Bosworth surrounded by agricultural fields, lakes, ponds and the Ashby de la Zouch to the east.*
- *The application is for the resurfacing of the original car park with tarmac.*
- *The site comprises of hard standing, amenity grassland and a hedgerow. The works will require the resurfacing of the original car park which will cause minimal disturbance to existing habitats and wildlife in the immediate area. This considered, there are no objections to the proposal.*

BNG Specific

- *The application meets the de minimis exemption less than 25 square metres of habitat will be affected.'*

6.6. LCC Highways:

'There would appear to be no material impact on the public highway and therefore the Local Highway Authority has no comments to make.'

6.7. Market Bosworth Parish Council:

'Market Bosworth Parish Council has no objection to this planning application.'

7. **Policy**

Market Bosworth Neighbourhood Plan (MBNP) 2020-2039

- Policy DC1: Design Codes
- Policy CE1: All new development within Market Bosworth
- Policy CE3: Important Views and Vistas and Landscape Character
- Policy CE5: Landscape of the wider Parish

7.2. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone

7.3. Site Allocations and Development Management Policies (SADMP) (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.4. National Planning Policies and Guidance

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

7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Leicestershire Highways Design Guide (LHDG) (2024)

8. **Appraisal**

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area and the wider countryside
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon ecology
- Impact upon drainage

Assessment against strategic planning policies

8.2. Notwithstanding that the application site is located in the countryside; the NPPF and Policy DM1 of the adopted Site Allocations and Development Management Plan (SADMP) provides a presumption in favour of sustainable development. Policy DM4

of the adopted Site Allocations and Development Management Plan (2016) sets out the circumstances in which development would be considered sustainable within the countryside, such as:

- 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 diversification of rural businesses; or
- c) It significantly contributes to economic growth, job creation and/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. (section (a)) it relates to outdoor sport or recreation purposes.

8.3 The site is an allocated open space, sports and recreation facility, and therefore falls under Policy DM8 of the SADMP. Policy DM8 of the SADMP states that planning permission will not be granted for proposals that result in the loss of land or buildings in recreational or sporting use except where:

- a) A replacement of an equivalent typology is provided, as defined by the most recent Open Space, Sport and Recreational Facilities Study, in an appropriate location serving the local community; or
- b) It is demonstrated that there is a surplus of recreational land, facilities or open space of the same typology exceeding the needs of the local community; or
- c) The development of a small part of a larger site in recreational use would result in the enhancement of recreational facilities on the remainder of the site, or on a nearby site serving the same community.

8.4 Policy CE5 of the MBNP 2020-2039 seeks to ensure that outside the development boundary, new development proposals that accord with national policy and the development plan for the area, and other policies within the Market Bosworth Revised Neighbourhood Plan, will not be resisted providing they:

- a) contribute to the local economy
- b) re-use or extend an existing building
- c) relate to sport or recreation land uses
- d) reflect paragraph 84 of the NPPF (December 2023) if concerning a single dwelling house.

8.5 Paragraph 104 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or
 - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or
 - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.
- 8.6 Policy 12 of the Core Strategy seeks to support existing services in rural villages.
- 8.7 The proposals would not result in the loss of any part of the playing fields at the site with the works being limited to the resurfacing/improvement of an existing section of the car park. The application is therefore considered to accord with Policy DM4, DM8 of the SADMP, Policy CE5 of the MBNP, the requirements of paragraph 104 of the NPPF, and Policy 12 of the Core Strategy.
- 8.8 There is a clear presumption in favour of outdoor sport or recreational proposals supported by local policies. Therefore, the principle of the proposed development is considered to be acceptable. Compliance with the other relevant policies will be assessed further in the following section.

Design and impact upon the character of the area and the wider countryside

- 8.9 Policy DM4 of the SADMP allows development relating to outdoor sport or recreational purposes in the countryside which lead to an enhancement of the immediate setting and where it does not have a significant adverse effect on the appearance and open character of the countryside.
- 8.10 Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.11 Policy DC1 of the MBNP 2020-2039 seeks to ensure that development proposals must demonstrate how they contribute positively to their character area in this case 'suburban residential' and will be supported where they are in conformity with the essential design considerations for the relevant character area, the general design principles set out in the Market Bosworth Design Codes 2023 and other Neighbourhood Plan policies as applicable.

Market Bosworth Design Codes 2023 seeks to ensure that;

- Any redevelopment in the area should take the existing housing mix and typologies into account to inform the design and housing mix offer to be delivered; and
- Buildings should be aligned along the street with their main facade and entrance facing it. The building line can have subtle variations in the form of recesses and protrusions but will generally form a unified whole. In the area, the generous setback of the building line from the street can make perceiving the frontage more difficult; and
- Any extension or redevelopment should be informed by and complement the existing materials in the area; and
- Extensions should retain the materials, architectural features, window sizes and proportions of the existing building and recreate this style to design an extension that matches and complements the existing building. The original building should remain the dominant element of the property regardless of the amount of extensions. The newly built extension should not overwhelm the building from any given point.

- 8.12 Policy CE1 of the MBNP 2020-2039 seeks to ensure that all new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place. Where new development would be visible from an adjacent Character Area it should be sensitive to the principal characteristics of that area. Innovative or outstanding design will be supported if it raises the overall quality of the Character Area.
- 8.13 The proposal is situated within Character Area A which has a defined character of open landscape features including open bodies of water and green countryside landscape, large wide open aspect (within individual sites), outdoor leisure pursuits including water-based activities and heritage-style leisure resources.
- 8.14 Policy CE3 of the MBNP 2020-2039 seeks to ensure that new development proposals within areas of important views, vistas and landscape character include an assessment, appropriate to the scale of the development, of the impact on the landscape character of Market Bosworth. Development will be resisted if it has a significant adverse impact on an important view, vista or the character of the Parish, unless it can demonstrate how that development is appropriate and considered sustainable development, and can integrate with the character of the landscape setting whilst conserving, and where appropriate, enhancing the character of the landscape.
- 8.15 The Landscape Review for Market Bosworth Neighbourhood Plan (2023) identifies the Station Road approach to Market Bosworth (View 1) as being an important view. Whilst the application site is set back from Station Road the view from Wellsborough Road is considered to contribute to the important view the Station Road approach hosts.
- 8.16 The application seeks full planning permission to resurface a section of the existing car park at Market Bosworth Sports Club, Wellsborough Road, Market Bosworth.
- 8.17 The proposed area of car park to be resurfaced lies to the northern boundary to the east of the main access and is currently finished in gravelled hardstanding. The area of the site to be re-surfaced in tarmac would measure approximately 5.00 metres x 2.50 metres for a total width of 117.49 metres to host 47 white lined spaces. Additional works to the site include the inclusion of white lines and a dedicated disabled space to the existing hardstanding to the north-east and north-west of the club house/pavilion building.
- 8.18 The proposed works due to their minimal nature would ensure that the appearance of the site when viewed from Wellsborough Road remains unchanged having no adverse impacts upon the character of the area and in turn upon the identified important views.
- 8.19 By virtue of the above, the development would accord with Policies DM4 and DM10 of the SADMP and Policies DC1, CE1 and CE3 of the MBNP.

Impact upon neighbouring residential amenity

- 8.20 Policy DM10 of the SADMP and the adopted Design Guide require that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.21 By virtue of the minor nature of the proposal there is not considered to be any material adverse impact on the residential amenity of the occupiers of any neighbouring properties from unacceptable noise, disturbance or air pollution and therefore the proposal would be in accordance with Policy DM10 of the adopted

SADMP. No objections to the proposal have been received from any neighbouring properties.

Impact upon highway safety

- 8.22 Paragraph 115 (b) of the NPPF states that planning decisions should ensure that developments provide safe and suitable access to the site for all users. In accordance with Paragraph 115(d) of the NPPF, any proposal should ensure that any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach.
- 8.23 Ultimately, development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios in accordance with Paragraph 116 of the NPPF.
- 8.24 To support this, Policy DM17 of the SADMP states that development proposals need to demonstrate that there is not a significant adverse impact upon highway safety, and that the residual cumulative impacts of development on the transport network are not severe. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highway authority (currently this is the Leicestershire Highway Design Guide (LHDG)) (2024).
- 8.25 Policy DM18 of the SADMP requires developments to demonstrate an adequate level of off-street parking provision.
- 8.26 Table 29 (d): Non-residential standards Class F of the LHDG states that Sports Grounds and clubs should provide a maximum use of the facility (staff plus customers plus visitors) based on two people per car. There is no threshold for applying the standard.
- 8.27 The extant permission for the demolition of existing club house and construction of a new club house/pavilion (Reference; 14/00264/FUL) approved a parking provision for 45 vehicles. Notwithstanding this, it should be noted that the applicant has not complied with imposed condition 6 as the parking spaces were never marked out in accordance with the approved plans prior to the first use of the club house/pavilion. Despite this, as the proposed application would resolve this breach and given the time that has passed making the breach unenforceable the Local Planning Authority (LPA) do not wish to take any further action.
- 8.28 Moreover, the proposed scheme would provide an increased parking provision for 60 vehicles, so in the LPA's view the proposal would provide a satisfactory number of spaces for the use of the facility. Additional informal parking could also be provided within the site if necessary and therefore the proposal is unlikely to lead to any on-street parking or any adverse impact on highway safety as a result.
- 8.29 Figure 44 of the LHDG states that a minimum parking size 2.40 metres x 5.50 metres, add 0.50 metre if bounded by a wall, fence, hedge, line of trees or other similar obstructions on 1 side, 1.00 metre if bounded on both sides should be achieved.
- 8.30 The proposed spaces would comply with the LHDG in regard to width but would fall short in regard to depth. Nevertheless, due to the substantial site area available at the site the proposal is not considered to cause any adverse impacts upon highway safety on-site or off-site.

- 8.31 By virtue of the above, the development would accord with Policies DM17 and DM18 of the SADMP, the LHDG and the NPPF.

Impact upon ecology

- 8.32 Policy DM6 of the SADMP states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.

On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.

Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:

- e) The need and benefits of the development in that location clearly
- f) It has been adequately demonstrated that the irreplaceable habitat
- g) Appropriate compensation measures are provided on site wherever possible and off site where this not is feasible.

If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.

- 8.33 Within the relevant Biodiversity Net Gain (BNG) requirements developments are exempt if they are below the relevant threshold. The development threshold for this application relates to a development that does not impact a priority habitat and impacts less than 25 square metres (5m by 5m) of on-site habitat and/or 5 metres of on-site linear habitats such as hedgerows.
- 8.34 The application relates to the resurfacing of a section of an existing car park, already contained within existing hardstanding. The development does not impact a priority habitat and impacts less than 25m² and as such it is exempt from BNG requirements.
- 8.35 Moreover, even though situated within a local wildlife site LCC Ecology have concluded that the works will cause minimal disturbance to existing habitats and wildlife in the immediate area.
- 8.36 By virtue of the above, the development would accord with Policy DM6 of the SADMP.

Impact upon drainage

- 8.37 Policy DM7 of the SADMP states that adverse impacts from pollution and flooding should be prevented by ensuring that development proposals Do not create or exacerbate flooding by being located away from areas of flood risk unless adequately mitigated against in line with National Policy.
- 8.38 The application site is situated within Flood Zone 1 meaning the site has the lowest probability of flooding. Despite this, the site does have a 3.30% probability of surface water flooding to the eastern and western boundary.
- 8.39 The proposal indicates that a raised kerb to the rear of the spaces with a drainage kerb every 10 liner meters to allow for drainage run off into the adjacent ditch as per the existing car park run off. The Local Authoritys drainage team have raised no

objection to the scheme on sustainable drainage grounds and therefore the development would accord with Policy DM7 of the 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.

10. Conclusion

10.1. The application is considered to be acceptable in terms of its impacts on the character of the area and have no detrimental impact on neighbouring amenity, highway safety, ecology or drainage. As a result, the proposal is considered to be in accordance with Policies DM1, DM4, DM6, DM8, DM10, DM17 and DM18 of the SAMDP, Policies DC1, CE1, CE3 and CE5 of the MBNP, the LHDG and the overarching principles of the NPPF. The scheme is therefore recommended for approval subject to conditions.

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

2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 28th July 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the Site Allocations and Development Management Policies DPD, and Policies DC1, CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan.

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

- Site Plans, Drg No. 25 67 01 as received by the Local Planning Authority on the 28th July 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM4, DM6, DM8, DM10, DM17 and DM18 of the Site Allocations and Development Management Policies DPD, Policies DC1, CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan, the LHDG and the overarching principles of the NPPF.

11.3 Notes to applicant

- a) 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.