

## Delegated Report

**Planning Ref: 23/00909/FUL**

**Applicant: Mr Keith Beesley**

**Ward: Markfield, Stanton and Field Head**

**Site: South Charnwood High School, Broad Lane, Stanton Under Bardon, Markfield**

**Proposal: Construction of new learning support building, extension of paving area, new solar panels and fence**

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Hinckley & Bosworth  
Borough Council

### 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 proposal seeks to construction of a new learning support building which includes an extension of an existing paved area and the removal of a fence within the site. The building is proposed to include solar panels.

### 3. Description of the site and surrounding area

- 3.1. The site is located within the grounds of South Charnwood High School to western side of the site in proximity to Markfield Lane. It is situated outside the settlement boundary of Stanton Under Bardon.

### 4. Relevant planning history

#### **20/00797/FUL**

Construction of toilet block to side of school  
Planning Permission  
01/10/2020

#### **18/00002/FUL**

Two storey extension to Science and Mathematics block  
Planning Permission  
13/11/2018

### 5. Publicity

- 5.1. The application has been publicised by sending letters to neighbours and a site notice has been posted within the vicinity of the site.
- 5.2. No comments have been received.

### 6. Consultation

- 6.1. HBBC Pollution: No objection.
- 6.2. Stanton Under Bardon Parish Council: No comments received.
- 6.3. LCC Children and Young People's Services: No comments received.
- 6.4. Arboricultural Officer: No comments received.
- 6.5. LCC Ecology Unit: No comments received.
- 6.6. HBBC Waste: No objections.
- 6.7. LCC Highways: No objection, note to applicant.

## **7. Policy**

### **7.1. 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 DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM25: Community Facilities

### **7.2. Core Strategy (2009)**

- Policy 21: National Forest
- Policy 22: Charnwood Forest
- Policy 24: Sustainable Design and Technology

### **7.3. National Planning Policies and Guidance**

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

### **7.4. Other relevant guidance**

- Good Design Guide (2020)
- National Design Guide (2019)

## **8. Appraisal**

### **8.1. Key Issues**

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Ecology and Biodiversity

#### **Assessment against strategic planning policies**

8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF state that the development plan is the starting point for decision making and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

8.3. Policy DM1 of the SADMP provides a presumption in favour of sustainable development. Policy DM4 of the SADMP identifies extensions to existing buildings a category of development acceptable in principle in the countryside, subject to protecting the intrinsic value, beauty, open character and landscape character of the countryside from unsustainable development. The school forms part of a community facility. Policy DM25 of the SADMP supports the redevelopment of community facilities borough wide.

- 8.4. Notwithstanding the location of the site within the countryside, this is an existing school site and the proposal is to provide additional facilities within this allocated community facility which would be sustainable and in accordance with Policies DM1, DM4 and DM25 of the Site Allocations and Development Management Policies DPD.

#### **Design and impact upon the character of the area**

- 8.5. Policy DM4 of the SADMP seek to protect the intrinsic value, beauty, open character and landscape character of the countryside. If within the National Forest development should contribute to the delivery of the National Forest Strategy in line with Core Strategy Policy 21.
- 8.6. 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. Policy DM10 also seeks to safeguard the amenity of future occupiers of the development.
- 8.7. As above the site is within the National and Charnwood Forest area, therefore policies 21 and 22 of the Core Strategy. Both policies seek to ensure siting and scale of development is appropriate, respects the character of the area and where possible enhance woodland/forest cover and planting.
- 8.8. The proposed learning and support building is of a similar design to the existing buildings on site, using similar materials such as the vertical timber cladding. The proposed building is single storey in nature, which does not cause any negative impact on the visual amenity of the area.
- 8.9. The proposal is well screened through existing landscaping which is to be retained as part of the proposal and given its single storey nature, it is not considered to have any detrimental impacts on the character of the area or the countryside.
- The proposal, due to the siting of the proposed classroom block, would lead to the loss of 7 trees. Whilst these trees are saplings and not mature developed trees, additional planting was requested from the applicant to mitigate against the loss of this feature. A planting proposal has been submitted as part of this proposal and is considered acceptable in mitigating against the loss of 7 trees, by replanting 7 new trees within the site.
- 8.10. Therefore, it can be considered that the proposed design is acceptable and the proposal does not have a negative impact on the character of the area. As such, it is considered to be in accordance with Policy DM4 and DM10 of the SADMP and Policy 21 and Policy 22 of the Core Strategy.

#### **Impact upon neighbouring residential amenity**

- 8.11. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.12. The proposed classroom building is not located in close proximity to neighbouring residential properties and given the nature of the activities on site, it is not anticipated that the single storey classroom block would cause detrimental impacts in terms of loss of light, loss of privacy, overbearing impacts or noise impacts.
- 8.13. As such it is considered that the proposal is in general accordance with Policy DM10 of the SADMP and the guidance set out within the Good Design Guide.

#### **Impact upon highway safety**

- 8.14. Policies DM17 and DM18 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety and requires new development to provide an appropriate/justified level of parking provision.
- 8.15. The proposal does not lead to an increase in pupil or staffing numbers, and does not cause the loss of parking facilities on site. County Highways have confirmed that they have no objections to the proposal and notes to the applicant have been provided and included at the end of this report.
- 8.16. The development is not considered to cause detrimental impacts to highway safety nor vehicle parking and as such it is considered that the proposal is in general accordance with Policies DM17 and DM18 of the SADMP.

### **Ecology and Biodiversity**

- 8.17. Policy DM6 of the adopted SADMP confirms that 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.
- 8.18. As set out above the proposal, due to the siting of the proposed classroom block, would lead to the loss of 7 trees. Whilst these trees are saplings and not mature developed trees, additional planting was requested from the applicant to mitigate against the loss of this feature.
- 8.19. A planting proposal has been submitted as part of this proposal and is considered acceptable in mitigating against the loss of 7 trees, by replanting 7 new trees within the site. As such it is considered that the proposal is acceptable and in accordance with Policy DM6 of the adopted 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).

## **9.5 Conclusion**

- 10.1. It is considered that the proposal has limited impacts on the character of the area and countryside, neighbouring amenity and highways safety. The proposal therefore complies with Policies DM1, DM4, DM6, DM10, DM17, DM18 and DM25 of the SADMP and Policy 21, 22 and 24 of the Core Strategy.

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

Design and Access Statement  
Site Location Plan Drg No. 8966\_01\_01  
Proposed Site Plan Drg No. 8966\_03\_01  
Proposed Ground Floor Plan Drg No. 8966\_03\_02  
Proposed Elevations Drg No. 8966\_03\_03  
Replacement Tree Plan

**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).

3. The proposed tree planting shall be carried out in full accordance with the approved 'Replacement Tree Plan'. The planting shall be carried out within the first planting season following the issuing of this decision notice and be maintained for a period of five years from the date of planting. During this period any trees 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, at which time shall be specified in writing to the Local Planning Authority.

**Reason:** To ensure that the development has a satisfactory external appearance and safeguards habitat conservation and biodiversity in line with Policies DM4, DM6 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Policy 21 and 22 of the Core Strategy.

## **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](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.
2. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).