

Delegated Report

Planning Ref: 25/01123/FUL

Applicant: Mrs Juliet Perry

Ward: Burbage St Catherines & Lash Hill



Hinckley & Bosworth
Borough Council

Site: Sports Pavilion Hinckley Road Burbage

Proposal: Installation of new window openings to front elevation to include external galvanised steel security screens to match existing doors

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 for the installation of two new window openings with external galvanised steel security screens to the front elevation of the existing Sports Pavilion building at Hinckley Road, Burbage.
- 2.2. The proposed uPVC windows would sit either side of the existing dual steel doors and would be 1.00 metre x 1.20 metres. They would be inward opening and would be set in from ground floor level by 1.14 metres.

3. Description of the site and surrounding area

- 3.1. The application site relates to a recreational facility situated to the east of the centre of Burbage. The site provides a mix of amenity greenspace alongside a children's play area and is identified as one of Burbage's highest quality sites within the Hinckley Open Space Report (2025).
- 3.2. The site benefits from good entrances, boundary fencing, controls to prevent illegal use, user security, benches, litter bins and signage. It also has the additional benefit of car parking, including disabled car parking.
- 3.3. A sports pavilion building providing changing facilities for cricket teams, toilet facilities and two small kitchens sits to the south-east corner of the site. It is a single-storey breeze block built structure with a dual-pitched roof comprising brown interlocking tiles and steel security doors to the front elevation.
- 3.4. The public footpath which runs from Hinckley Road to public footpath (U62) provides direct access to the pavilion.

4. Relevant planning history

94/00936/FUL

- Erection of replacement sports pavilion
- Planning Permission
- 08.02.1995

95/00678/FUL

- Erection of sports pavilion (amended design)

- Planning Permission
- 18.10.1995

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 publications, no comments have been received.

6. Consultation

- 6.1. Burbage Parish Council;
'Burbage Parish Council has no comment to make on this application.'
- 6.2. HBBC Environmental Health (Pollution);
'No objection.'

7. Policy

- 7.1. Burbage Neighbourhood Plan (BNP) (2015-2026)
 - Policy 1: Settlement Boundary
 - Policy 2: Design and Layout
 - Policy 5: Footpaths and Cycleways
 - Policy 18: New Community Facilities
- 7.2. Core Strategy (2009)
 - Policy 4: Development in Burbage
 - Policy 19: Green Space and Play Provision
 - Policy 20: Green Infrastructure
- 7.3. Site Allocations and Development Management Policies DPD (SADMP) (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM7: Preventing Flooding and Pollution
 - Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
 - Policy DM10: Development and Design
 - Policy DM17: Highway and Transportation
- 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)
 - Hinckley Open Space Report (2025)

8. Appraisal

- 8.1. Key Issues
 - Principle of development
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity

- Impact upon public footpath

Principle of development

- 8.2 Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material planning consideration in planning decisions.
- 8.3 Paragraph 7 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. The three overarching objectives of sustainable development (economic, social, and environmental) are detailed within Paragraph 8 of the NPPF. Therefore, in accordance with Paragraph 11 of the NPPF, planning decisions should apply a presumption in favour of sustainable development.
- 8.4 However, Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, development permission should not usually be granted unless other material considerations indicate otherwise.
- 7.6. The current Development Plan consists of the adopted Core Strategy, the adopted Site Allocations and Development Management Policies Development Plan Document (SADMP) and the Burbage Neighbourhood Plan (BNP). The spatial distribution of growth across the Borough during the plan period 2006-2026 is set out in the Core Strategy.
- 8.5 The Core Strategy and the SADMP are over 5 years old and were adopted prior to the publication of the current NPPF. Paragraph 34 of the NPPF states that policies in local plans and spatial development strategies should be reviewed to assess whether they need updating at least once every five years and should then be updated as necessary.
- 8.6 Nevertheless, in accordance with Paragraph 232 of the NPPF, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF. Ultimately, the closer the policies in the plan are to the policies in the NPPF, the greater weight they may be given. Therefore, this report sets out the relevant adopted Core Strategy and SADMP policies and refers to the NPPF and notes any inconsistencies between them.
- 8.7 Policy DM1 of the SADMP and Policy 1 of the BNP seek to ensure that there is a presumption in favour of sustainable development for development situated within the settlement boundary.
- 8.8 Policy DM8 of the SADMP seeks to ensure that planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use and areas of open space, as identified in the most recent Open Space, Sport and Recreational Facilities Study, 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 community. remainder of the site, or on a nearby site serving the same
- 8.9 Policy 18 of the BNP seeks to ensure that the redevelopment or loss of community facilities such as community centres, sport and recreation facilities, places of worship, healthcare facilities, allotments, libraries and public houses including ancillary areas, will only be supported where it can be demonstrated that:
- a) an equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community; or
 - b) there is surplus of the facility type within Burbage which can be demonstrated to exceed the needs of the community, or
 - c) the loss of a small portion of the site would result in wider community benefits on the remainder of the site, or
 - d) there is no longer an identified need for the facility and an alternative use can be found.
- 8.10 This proposal whilst relating to the community facility, does not negatively impact any of the existing facilities on the site. The alterations are in fact considered to be a positive addition as they will create a more enjoyable environment for users by way of introducing natural light encouraging the continued use of the building. The proposal can therefore be considered to be in accordance Policy DM8 of the SADMP and Policy 18 of the BNP.
- 8.11 The Core Strategy encourages improvement and seeks to ensure the continued standard of parks is maintained. It is indicated, parks achieving lower quality scores, particularly those serving large populations, should be prioritised for action.
- 8.12 As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, Policy 1 of the BNP and the wider policies of the NPPF. Therefore, the development is considered to be acceptable in principle, subject to all other material planning matters being appropriately addressed.

Design and impact upon the character of the area

- 8.13 Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of building materials respect the materials of existing adjoining/neighbouring buildings and the local area generally.
- 8.14 Policy 2 of the BNP seeks to ensure that any future residential development within the Parish of Burbage must respect its surroundings.
- 8.15 The existing Sports Pavilion building sits to the south-east corner of the site and is strongly screened from the adjacent highways by existing built form and boundary treatments. That being said due to the sites recreational nature alongside its footpath connections it remains in a position of high visibility to members of the public.
- 8.16 The proposed alterations include the installation of two new uPVC window openings 1.00 metre x 1.20 metres with external galvanised steel security screens to the front elevation of the existing Sports Pavilion building. The proposed openings would sit either side of the existing dual steel doors, would be inward opening and would be set in from ground floor level by 1.14 metres.

- 8.17 Due to the minor nature of the works, the proposed openings would not significantly alter the appearance of the existing sports pavilion. Furthermore, the pavilion at present does not represent a particularly high quality of design, so the addition of two openings would break up the otherwise blank facade to the front elevation.
- 8.18 By virtue of the above the proposal would accord with Policy DM10 of the SADMP and Policy 2 of the BNP.

Impact upon neighbouring residential amenity

- 8.19 Policy DM7 of the SADMP states that all reasonable steps should be taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion.
- 8.20 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.
- 8.21 As the applicant only seeks permission for the installation of two openings to the front elevation of the Sports Pavillion building which faces onto the recreational grounds, there would be no overlooking, overbearing or overshadowing impacts upon neighbouring residential properties in the vicinity.
- 8.22 There is not considered to be an intensification of the proposed use nor is any additional lighting proposed.
- 8.23 By virtue of the above, the proposed development would satisfy Policies DM7 and DM10 of the SADMP in this regard.

Impact upon public footpath

- 8.24 Policy DM17 of the SADMP seeks to ensure that there is convenient and safe access for walking and cycling to services and facilities.
- 8.25 Policy 5 of the BNP seeks to ensure that public footpaths and cycleways are protected.
- 8.26 The proposed openings would be inward opening whilst being situated approximately 4.00 metres away from the adjacent existing public footpath bearing no adverse impacts upon the safe usability of the footpath.
- 8.27 By virtue of the above, the proposal would comply with Policy DM17 of the SADMP and Policy 5 of the BNP.

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 proposal is located within the settlement boundary of Burbage where there is a presumption in favour of sustainable development.
- 10.2. The proposal is considered acceptable due to the limited impacts upon the character of the area, the amenity of adjacent buildings and the adjacent footpath. It is considered that the proposed development would be in accordance with Policies DM1, DM7, DM8, DM10 and DM17 of the SADMP, Policy 1, 2, 5 and 18 of the BNP, and the overarching principles of the NPPF. The proposal is therefore recommended approval subject to the below 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 20th November 2025.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM7, DM8, DM10 and DM17 of the Site Allocations and Development Management Policies DPD (2016), Policy 2 of the Burbage Neighbourhood Plan (2015-2026), and the overarching principles of the National Planning Policy Framework (2024).

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

- Block Plan; and
 - Site Location Plan; and
 - Proposed Floor Plan; and
 - Existing, Proposed Elevations
- as received by the Local Planning Authority on the 20th November 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM7, DM8, DM10 and DM17 of the Site Allocations and Development Management Policies DPD (2016), Policy 1, 2, 5 and 18 of the Burbage Neighbourhood Plan (2015-2026), and the overarching principles of the National Planning Policy Framework (2024).

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.