

Delegated Report

Planning Ref: 23/01136/FUL
Applicant: Mr & Mrs Steven Assinder
Ward: Twycross Sheepy & Witherley



Hinckley & Bosworth
Borough Council

Site: Twycross House School 1 Main Road Twycross

Proposal: Construction of single storey detached art building with solar panel and associated landscaping.

Recommendations

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

Planning application description

- 2.1. Planning permission is sought for the construction of a new-build detached art building at Twycross House School.
- 2.2. The proposed building will be single storey so as to reduce any impact to the surroundings and will be in-keeping with the adjacent bungalow. The building will be at the rear of the site and of traditional construction incorporating brick facades [to match existing – sample to be agreed], plain clay roof tiles, brick eaves and verges to align to the surrounding buildings. The roof has been designed to be a minimum of 35- degrees so that traditional plain clay roof tiles can be incorporated into the design. This will help to match the high quality architectural detailing that is present on Twycross House School and the various extensions/outbuildings.
- 2.3. Incorporating of solar panels, air source heat pump and enhanced insulation requirements under the new building regulations. The building will be single-storey located adjacent to an existing single storey dwelling. About 50m to the east are larger two-storey buildings on the opposite side of the extensive landscaped grounds which extend to the rear of the school. Directly to the north and west are other buildings associated with the School. The building design has been discussed further in the report but is to reflect the character and appearance of the surroundings. The scale and appearance of the proposed building will be in keeping with the surroundings and will not materially impact Twycross House School to the north east, which has had extensive alterations over its lifetime with a large number of linked extensions to the west.
- 2.4. The proposals seek to incorporate a sports equipment store to the rear, removing the existing timber shed utilised for said storage. This will also incorporate a plant room for the air source heat pumps with the air source heat pumps located behind timber fencing. This is to protect the setting of the listed building and conservation area. These elements of the building will be of a lower height to reduce the overall massing of the development.
- 2.5. The proposals will incorporate a linear gable ended building running from north to south. To the frontage the building will incorporate student amenities – toilet, office & entrance lobby. The classroom will be separated from the entrance lobby via double pocket doors opening out onto a 122sq/m classroom incorporating a vaulted ceiling. To the west of the building there will be a double-gable link providing art amenities to the classroom – washing facilities and storage along with a fire-escape door. This is to reflect the character of the surroundings with a double gable incorporating a valley between and rain water hopper at the junction.

- 2.6. This detail is evident on Twycross House School to the north where a number of gables adjoin one another with valleys details. The proposed classroom can be split into 2 with temporary sliding doors which will allow for dual lessons to be run concurrently. The overall building will be 142sqm for the classroom and ancillary accommodation with the plant room/sports equipment store totalling 13sq/m.
- 2.7. The proposed development will seek to remove an existing garden-kitchen to be replaced by the art building. The site is bound to the east, south and west by existing mature coniferous hedgerows. It is proposed to retain the eastern hedgerow albeit reduce this in height to 1m. The southern hedgerow will be removed to make-way for the sports equipment store, plant room and air source heat pump housing. The existing coniferous hedgerow to the west will be retained in part with some removed to incorporate the side projection to the classroom. There is an existing tree to the west within the garden of The Folly that is to be retained.
- 2.8. The building will not require any additional staffing levels, however it will help the school to maintain its ever expanding amenities required for the education of its students. The building will become the sole art block for the school allowing for separation/splitting into 2no. classrooms internally and also walls removed to provide a large open plan art exhibition space for external and internal moderating of students work.
- 2.9. The proposals seek to incorporate solar panels to the building to continue Twycross House schools commitment to sustainable development. The proposed building would seek to incorporate solar panels and air source heat pump along with insulation values to comply with the enhanced current building regulations standards.

Description of the site and surrounding area

- 3.1. The site is adjacent to the Conservation Area & the open countryside to the south, with land levels falling away gradually in this direction. The site is located within the grounds of Twycross House School and within the historic core of Twycross, and lies to the south of a Scheduled Ancient Monument, consisting of a moated site and fishponds. To the north and west of the application site is the Twycross Cricket Ground and the Orton Lane Playing Fields. The main school buildings are immediately to the north & east of the site.
- 3.2. The school and its grounds are identified within the Site Allocations & Development Management Policies DPD as a community facility. The site is located within the community facility boundary and identified as a key space within the Conservation Area Appraisal.
- 3.3. Within the grounds of Twycross House there are a substantial number of buildings built more recently and serving as further classrooms, specialist purpose science laboratory, theatre and dining hall. Therefore detached outbuildings away from the main Twycross House school building are synonymous with the surrounding built form.

Relevant planning history

00/00808/FUL

- CONVERSION OF STABLES AND EXTENSION TO PROVIDE ADDITIONAL CLASSROOMS
- Permission
- 11.10.2000

10/00432/FUL

- DEMOLITION OF EXISTING CLASSROOM BLOCK AND ERECTION OF REPLACEMENT CLASSROOM BLOCK (RETROSPECTIVE)
- Permission
- 11.08.2010

10/00488/CON

- DEMOLITION OF CLASSROOM BLOCK
- Conservation Area Consent
- 11.08.2010

12/00875/FUL

- EXTENSIONS AND ALTERATIONS TO SCHOOL
- Permission
- 21.12.2012

16/00670/LBC

- Erection of a theatre/drama studio
- Listed Building Consent
- 21.09.2016

16/00671/FUL

- Erection of a theatre/drama studio
- Permission
- 21.09.2016

21/00319/FUL

- Artificial Grass Pitch with access path, spectator area, floodlighting and perimeter fencing
- Permission
- 16.06.2021

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. No letter has been received.

Consultation

- 6.1. Twycross Parish Council was consulted, and no response was received.
- 6.2. LCC Highways have raised no objections subject to the imposition of conditions
- 6.3. Historic England- no advice offered.
- 6.4. HBBC Environmental Services was consulted and raise no objections.
- 6.5. HBBC Waste was consulted and raise no comment.
- 6.6. HBBC Conservation Officer was consulted, and had the following comments to make: 'This is an application to construct a single storey detached building to serve the wider Twycross House School. Approximately 40m to the north-east is a large red brick house from 1703, which is a grade II listed building of special historic and architectural interest and significance. The house is now part of the School.'

Sections of the grounds of the school are also located within the Twycross Conservation Area, with the application site being located outside of but adjacent to the conservation area boundary. There is clear intervisibility between the application site, Twycross House School and the conservation area and as such the site falls within the setting of these heritage assets. Currently the application site is a small ancillary area of the grounds and a neutral presence within the setting of the listed building and the conservation area.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.

Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. All proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Policy DM12 also states that development proposals should ensure the significance of a conservation area is preserved and enhanced.

The proposed new building is a single storey linear building of red brick, clay tile roof, and traditional styled fenestration. In my opinion the scale of the building is clearly subservient to the main listed building and it has a form, appearance and detailing that compliments the character of the listed building and the local area generally. For these reasons it would be a minor positive presence within the wider setting of the Twycross House School and Twycross Conservation Area. Therefore, the proposal would be compatible with the significance of the grade II listed building and its setting and the significance of the Twycross Conservation Area, and as a result the proposal would comply with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of section 66 of the Planning (Listed Building and Conservation Areas) Act 1990'.

Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

- Policy DM25: Community Facilities
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)

Appraisal

- 8.1. Key Issues
- Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Archaeology
 - Ecology

Assessment against strategic planning policies

- 8.2 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 The site is identified within the adopted SADMP as forming part of a Community Facility (Twycross House School). Policy 25 of the SADMP and paragraphs 20 and 28 of the NPPF support the provision of new community facilities.
- 8.4 Policy DM1 of the adopted SADMP and paragraph 10 of the NPPF provide a presumption in favour of sustainable development which paragraph 8 of the NPPF states has three interacting dimensions:- the social, economic and environmental roles.
- 8.5 The rural village of Twycross has relatively low sustainability in terms of its location and facilities with residents relying principally on the use of the private car for means of accessing a majority of services and facilities. This is also the case for attendees of the school.
- 8.6 However, the proposal would contribute to the social role of sustainable development through the provision of an art facility within the school grounds to support local need. The proposal would contribute to the economic well-being of the school through the provision of an additional facility for the school and also, to a limited degree, to the local economy through the construction of the development.
- 8.7 In terms of the environmental role of sustainable development that requires proposals to protect or enhance the natural, built and historic environment, regard must be had to the impact of the scheme on the character and appearance of the surrounding area, including the setting of the listed school buildings and the wider Twycross Conservation Area and is discussed further below.

Design and impact upon the character of the area

- 8.8 Policy DM10 of the SADMP seeks to ensure that developments would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 8.9 Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.10 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses.
- 8.11 Section 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal
- 8.12 The site is located within the Development Boundary to Twycross and is located outside of the Conservation Area, albeit along the Conservation Area boundary and adjacent to Twycross House [Grade II Listed]. The site currently comprises of a Green-House and garden kitchen used solely by the school bound on three-sides by hedgerows. The building will be located to the rear and side of Twycross House school [Grade II Listed]. The building has been designed to reflect the character and appearance of Twycross House school and the extensive extensions/new buildings associated with the school. The building will be single-storey located adjacent to an existing single storey dwelling. To the east are larger two-storey buildings on the opposite side of the extensive landscaped grounds which extend to the rear of the school. The building design reflects the character and appearance of the surroundings. The scale and appearance of the proposed building will be in keeping with the surroundings and will not materially impact Twycross House school to the north east, which has had extensive alterations over its lifetime with a large number of linked extensions to the west.
- 8.13 Overall the proposal is not considered to result in any discernible or material reduction in the already limited appreciation of the significance of Twycross House School and the Twycross Conservation Area as currently offered from this position within the wider setting of these heritage assets.
- 8.14 Consequently it is considered that the proposal will have no particular adverse effect on their wider setting and so the proposal will be compatible with the significance of the grade II listed building known as Twycross House School and will preserve the significance of the Twycross Conservation Area. The proposal therefore complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990
- 8.15 By virtue of the scale, siting, and design of the proposed development, it is considered that the proposed development would be in general accordance with Policy DM10 of the SADMP in regard to design and impact upon the character of the area.

Impact upon neighbouring residential amenity

- 8.16 Policy DM10 of the SADMP seeks to ensure that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting, air quality (including odour), noise, vibration and visual intrusion.
- 8.17 There is an existing dwelling located to the west of the site, 'The Follies'. This property is a residential bungalow that is associated with the school and has been used as a residence associated to the school for many years. Currently there is a footpath access from the application site to the bungalow. This will be retained as part of the proposals with an additional fire-exit door located facing 'The Follies'. Currently there is not set boundary to the property with no fenced garden given that this is utilised by the school. The door will be glazed with frosted film and only used as an emergency escape route when required. There are no windows proposed to overlook the garden amenity area of the bungalow and therefore the proposal would therefore not have any adverse overlooking impacts into the neighbouring habitable windows
- 8.18 The proposed is at the rear of the site and roughly 120m from the closest residential dwellings not part of the Twycross House School. These dwellings are located to the north of Orton Lane which is to the North West of the application site or along Sheepy Road south-east of the site. These sites are separated by playing fields, with 1.5m high hedgerows surrounding the fields and running along the south side of Orton Lane. Semi-mature and mature broadleaf trees can be found within the field boundaries to the north of the application site. It is by virtue of these hedgerows and trees, as well as the separation distance, that it can be considered that the proposed would not have any significant impact to the occupants' enjoyment of their properties.
- 8.19 As a result of the suitable siting and design of the proposed it is not considered that there would be any significant adverse impact to the amenity of nearby residents. Consequently it is considered that the development is in accordance with Policy DM10 of the SADMP in regard to impact upon neighbouring amenity.

Impact upon highway safety

- 8.20 Policy DM17 of the SADMP sets out that proposals will be supported where they demonstrate that there would not be a significant adverse impact upon highway safety.
- 8.21 Policy DM18 of the SADMP requires proposed developments to provide an appropriate level of parking provision.
- 8.22 The Local Highway Authority have been consulted on a full application for the construction of a single storey detached art building with solar panel and associated landscaping at Twycross House School, 1 Main Road, Twycross, Atherstone. Based on the submitted Heritage, Design, Access & Planning Statement, no new members of staff would be employed and the proposals would will allow for the school to enhance students current experience. On this basis, the LHA believes the proposals are unlikely to increase the level of trips to or from the site.
- 8.23 Consequently, it can be considered that the proposed development would not have any significant adverse impact upon highway safety, and that the school can provide an adequate level of parking for the proposed development. Therefore this application is in accordance with Policies DM17 and DM18 of the SADMP.

Archaeology

- 8.24 Policy DM13 seeks to preserve the archaeology found within the borough by ensuring that the preservation of archaeological remains is investigated and recorded by an approved archaeological organisation before development commences.
- 8.25 The Leicestershire and Rutland Historic Environment Record (HER) shows that the application site lies in an area of archaeological interest, adjacent to the boundary of the medieval and post-medieval settlement core of Twycross village (HER ref MLE8423).
- 8.26 The villages of Rutland, in common with Leicestershire or Leicestershire and the wider English Central Midlands, appear to have evolved alongside their open field systems, during the later 1st millennium AD. Buried archaeological evidence, constituting one or more as yet unidentified heritage asset(s) (National Planning Policy Framework (NPPF) Section 16, paragraph 189-190 and Annex 2), spanning the period from the earliest evolution of the village to its more recent past can be expected within the development area. Consequently, there is a likelihood that buried archaeological remains will be affected by the development.
- 8.27 In accordance with the NPPF (Section 16, paragraph 199), the Local Planning Authority should require a developer to record and advance the understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance.
- 8.28 To ensure that any archaeological remains present are dealt with appropriately, the applicant should provide professional archaeological attendance for inspection and recording during the groundworks for the proposed development. A contingency provision for emergency recording and detailed excavation should be made, to the satisfaction of your authority in conjunction with your archaeological advisors in this Department's Historic & Natural Environment Team (HNET). HNET will provide a formal Brief for the work at the applicant's request.
- 8.29 It has been agreed with the applicants that the scheme must not commence until a written scheme of investigation has been submitted and approved in writing by the LPA. This is to ensure satisfactory archaeological investigation and recording in accordance with Policy DM13 of the SADMP.

Ecology

- 8.30 Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation and geological value.
- 8.31 The proposed development will seek to remove an existing garden-kitchen to be replaced by the art building. The site is bound to the east, south and west by existing mature coniferous hedgerows. It is proposed to retain the eastern hedgerow albeit reduce this in height to 1m. The southern hedgerow will be removed to make-way for the sports equipment store, plant room and air source heat pump housing. The existing coniferous hedgerow to the west will be retained in part with some removed to incorporate the side projection to the classroom. There is an existing tree to the west within the garden of The Folly that is to be retained.
- 8.32 Consequently it can be considered that the development would conserve the features of nature conservation within the immediate vicinity of the application site in accordance with Policy DM6 of the SADMP.

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).

Conclusion

10.1. The proposal is located within the settlement boundary of Tywycross where there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.

10.2. The proposed development would not alter the character of the school or the nearby Conservation area. Neither would the proposal adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policies DM1, DM6, DM10, DM11, DM12, DM13, DM17 and DM18 of the SADMP and is therefore recommended for approval subject to conditions.

10.3. **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:

Site Location Plan Drg. 274_01
Proposed Floor Plan Drg. No. 274_04A
Proposed Elevations- Drg. No. 274_05A
Proposed Site Plan- Drg. No. 274-06 all received by the LPA on 28/11/2023.

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 materials to be used on the external elevations of the approved building shall accord with the proposed materials as submitted with the application form & Design & Access Statement received 28.11.2023.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. No development shall take commence until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and;

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI

Reason: To allow proper investigation and recording of the site, which is potentially of archaeological and historic significance in accordance with Policies DM11, DM12 and DM13 of the adopted Site Allocations Development Management Policies Development Plan Document (2016).

5. No development shall commence on the site until such time as a construction traffic management plan, including as a minimum details of the routing of construction traffic, wheel cleansing facilities, vehicle parking facilities, and a timetable for their provision, has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with Policy DM17 of the adopted Site Allocations Development Management Policies Development Plan Document (2016) and provisions of the NPPF.

6. No development shall take place until a scheme of hard and soft landscaping works, including boundary treatments, for the site, including an implementation scheme, has been submitted in writing to and approved in writing by the local

planning authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period 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 at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

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. 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.
3. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).