

Delegated Report

Planning Ref: 24/00433/FUL
Applicant: Mr Timothy Payne
Ward: Hinckley Castle



Hinckley & Bosworth
Borough Council

Site: 33 Station Road, Hinckley

Proposal: Change of Use from Offices (Class E) to SEN Education Building (Class F1)

1. Recommendations

1.1. Grant Planning Permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

2.1. This application full planning permission for change of use from commercial offices (Class E) to a Special Educational Needs (SEN) education building (Class F1) at 33 Station Road, Hinckley.

2.2. The fabric of the existing building would be unaffected by the proposals. The proposed minor alterations are all internal.

3. Description of the Site and Surrounding Area

3.1. The application site is located within the settlement boundary of Hinckley.

3.2. It is two storey building with red facing bricks at the ground floor level and white render to the first floor. It has white UPVC windows and red roof tiles. The site lies in a sustainable location and has parking space for four cars.

3.3. The application site is bound by a day care centre to the north, car parking to the east, residential properties to the south and Station Road to the west.

3.4. The application forms state that there would be five full time employees at the premises which would operate between 9am and 3pm five days a week.

3.5. The Design and Access Statement explains that the building would provide educational support to pupils aged between 6 and 11 and would operate as an extension to the U-neek learnings facility on Wood Street in Hinckley

4. Relevant Planning History

None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. No objections have been received although the owner of a neighbouring residential property has expressed some concerns regarding noise.

6. Consultation

6.1. No comments have been received from:

- HBBC Town Centre Management
- Hinckley Area Committee.

7. Policy

- 7.1. Site Allocations and Development Management Policies DPD (2016)
- Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM25: Community Facilities

- 7.2. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)

- 7.3. Other relevant guidance
- Good Design Guide SPD (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Key Issues
- Assessment against strategic planning policies
 - Design and impact on the character of the area
 - Impact upon neighbouring 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. The provision of an educational facility is supported in principle by Policy DM25 of the Site Allocations and Development Management Policies Development Plan Document (SADMP).

- 8.3. The proposed development is considered acceptable in principle.

Design and impact on the character of the area

- 8.4. Policy DM10 of the SADMP indicates that development will be permitted providing it meets good standards of design including that it would complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.5. No alterations are proposed to the exterior of the building.
- 8.6. Therefore, it is considered that the proposal as submitted would respect the character and appearance of the wider street scene, would be acceptable in design terms in this case and in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.7. Policy DM10 of the SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties. The building is limited in size and operates between the hours of 9am and 3pm Monday to Friday. There is a rear garden that would be used by pupils during breaks.
- 8.8. It is considered that given the limited operating hours and the limited size of the building the proposed change of use would not result in any significant adverse impacts on the privacy or residential amenity of the occupiers of any neighbouring properties and would therefore be in accordance with Policy DM10 of the SADMP and the Council's Good Design Guide.

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.

10. Conclusion

10.1. 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, DM10 and DM25 of the SADMP and the wider policies of the NPPF.

10.2. The application would not have an adverse visual impact on the area. It complies with Policy DM10 and is supported by Policy DM25 of the SADMP. There would be no significant loss of residential amenity to any neighbouring properties. The proposal is therefore in accordance with Policies DM1 and DM10 and can be supported.

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

- Site Location Plan - 01-2413-00 (Received on 03/05/2024)
- Existing & Proposed Block Plan Drg No. 02-2413-00 (Received on 03/05/2024)

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

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.