

Delegated Report

Planning Ref: 23/00643/FUL

Applicant: Hastings School

Ward: Burbage St Catherines and Lash Hill



Hinckley & Bosworth
Borough Council

Site: Hastings High School, St Catherines Close, Burbage

Proposal: Proposed replacement of existing 2no classroom blocks and associated landscape

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 replace existing 2no classroom blocks from the site with a replacement classroom block with associated landscaping. The replacement will be located with a similar position and location to the existing classroom block.

3. Description of the site and surrounding area

- 3.1. The site relates to a school accessed off St Catherine's Close within the settlement boundary for Burbage and surrounded predominantly by residential properties. The school playing fields extend to the south east of the site beyond the siting of the building.

4. Relevant planning history

22/00899/FUL

Change of use from former school house to additional classroom and school office accommodation.

Planning permission

11/11/2022

20/01376/CONDIT

Removal of condition 1 attached to planning permission 17/00766/CONDIT

Planning permission

04/03/2021

20/00036/FUL

Single Storey Modular Classroom Block to School

Planning permission

05/03/2020

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. No public comments have been received.

6. Consultation

- 6.1. No objections have been received from:
- HBBC Environmental Services – pollution
 - HBBC Drainage – no objection and note to applicant provided.
 - HBBC Waste Management
 - Burbage Parish Council
 - LCC Highways – notes to applicant included

7. Policy

7.1. Core Strategy (2009)

- No relevant policies

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
- Policy DM10: Development and Design
- 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) (2021)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.4. Burbage Neighbourhood Plan (2021)

- Policy 16: Schools

7.5. Other relevant guidance

- Good Design Guide (2020)

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Principle of Development

8.2 Policy DM8 of the SADMP states 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 except for certain circumstances.

8.3 Policy 16 of the Burbage Neighbourhood Plan states that proposals for the expansion of existing schools within the Parish will be sympathetically supported where it can be demonstrated that the proposal would not include the loss of land already used for recreation, unless it can be demonstrated that any loss of recreational land is of minimal nature and the benefits out-weigh any loss of this valuable health and educational resource.

8.4 As a school the site is a Community Facility identified in the SADM. Policy DM25 states that the Borough Council will resist the loss of community facilities including ancillary areas. The redevelopment of community facilities will only be appropriate where it can be demonstrated that, amongst other circumstances, an equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community.

- 8.5 The proposed building lies adjacent to but outside the playing fields designated as an Open Space, Sports and Recreation Facility in Policy DM8 of the SADMP. The proposals seeks to replace an existing classroom block with a new classroom block. The replacement is similar in size and mass and is located in a similar position and location to the existing. It would therefore not lead to the loss of any land used for recreation and provides equivalent replacement community facilities and therefore accords with Policy DM8 and Policy DM25 of the SADMP as well as Policy 16 of the Burbage Neighbourhood Plan.

Design and impact upon the character of the area

- 8.6 Policy DM10 of the SADMP requires proposals to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.7 The proposals seeks to replace an existing classroom block with a new classroom block with associated landscaping. The replacement is similar in size and mass and is located in a similar position and location to the existing. The proposal seeks to introduce light grey metal cladding to the building which is considered acceptable given its inclusion on other buildings belonging to the school.
- 8.8 The proposal would not lead to the loss of any land used for recreation and it would not cause any detrimental impacts to the character of the area as it is not highly visible from public vantage points.
- 8.9 As such, the proposal will not cause detrimental impacts upon the character of the area accords with Policy DM10 of the SADMP (2016).

Impact upon neighbouring residential amenity

- 8.10 Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities with in the vicinity of the site.
- 8.11 Policy 16 of the Burbage Neighbourhood Plan states that proposals for the expansion of existing schools within the Parish will by sympathetically supported where it can be demonstrated that the development would not result in significant loss of amenity to residents or other adjacent users.
- 8.12 The proposal seeks replace an existing classroom block with a new classroom block, which is of similar size and layout. It is considered that the proposals would have no detrimental impact upon the amenity of nearby residents when considering the existing structure currently on site.
- 8.13 It is therefore considered that the proposal is in accordance with Policy DM10 of the SAMDP (2016) and Policy 16 of the Burbage NP (2021).

Impact upon highway safety

- 8.14 Policy DM17 of the SADMP seeks to ensure new development would not have an adverse impact upon highway safety. Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development.
- 8.15 The proposal is not anticipated to have any material impact upon the highway or parking facilities at the school and therefore the proposal would be in accordance with Policies DM17 and DM18 of the adopted SADMP.

Equality implications

- 8.16 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.
- 8.17 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 8.18 There are no known equality implications arising directly from this development.
- 8.19 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. Conclusion

- 9.1 The application for the replacement classroom block and associated landscaping is considered not be of satisfactory design, and have no detrimental impact on the character of the area, neighbouring amenity or highway safety. As a result the proposal is considered to be in accordance with Policies DM10, DM17 and DM18 of the adopted SAMDP and Policy 16 of the adopted Burbage Neighbourhood Plan, the scheme is therefore recommended for approval subject to conditions.

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:

Proposed Block Plan Drg No. 22/ 4051 / 01
Proposed Plans and Elevations Drg No. 23 4462 04

Proposed Landscaping Plan Drg No. 22/ 4051 / 01

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 proposed elevations of the replacement classroom block shall accord with the approved materials detailed within the application form.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies 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).
4. Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
5. Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).