**Item:** **10**

**Reference:** **11/00297/CON**

**Applicant:** **Market Bosworth Parish Hall**

**Location:** **Market Bosworth Parish Hall 25 Park Street Market Bosworth**

**Proposal:** **DEMOLITION OF EXISTING SINGLE STOREY WC'S AND ENTRANCE LOBBY TO FACILITATE EXTENSIONS AND ALTERATIONS TO PARISH HALL**

**Target Date:** **14 June 2011**

**Introduction:-**

This application is to be considered at Planning Committee in accordance with the Scheme of Delegation, as it raises local issues.

Application Proposal

This application is for conservation area consent to demolish the single storey toilets and entrance lobby to the front of the existing parish hall.

Members are advised that this application is read in conjunction with planning application 11/00296/FUL for the erection of a two storey extension to the front of the existing parish hall together with two single storey extensions to the eastern side of the main hall.

The Site and Surrounding Area

The site is an existing parish hall located to the north east of the Market Bosworth Market Place, within the conservation area. The application site extends to 658 square metres, the majority of which is occupied by the parish hall building. The land at the rear of the building is used as a children's play area and the building is set back from the highway path by 5.3 metres. There is an existing vehicular access to the site in the south eastern corner together with a pedestrian access to the front. There is a 1 metre high hedge to the front boundary and a 1.8 metre close boarded fence and hedge along the western boundary.

There are two vehicular accesses that run either side of the parish hall which serve dwellings to the rear. The area to the front of the parish hall is laid to paving slabs and tarmac and has a disabled ramp leading up to the main entrance lobby. The area surrounding the site is residential in nature and there are listed buildings immediately to the east and opposite the parish hall.

Technical Documents submitted with application

The planning application is accompanied by a design and access statement, conservation statement and a biodiversity statement. The design and access statement states that the proposal has been designed with a view to providing extended and new community facilities in Market Bosworth. It also states that the layout allows for phased construction of the development.

**History:-**

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| 99/00180/FUL | Construction of wheelchair ramp | Approved | 29.04.99 |
| 97/01027/FUL | Proposed disabled access ramp | Approved | 22.12.97 |
| 93/00471/4 | Extensions and alterations to Assembly Hall | Approved | 28.07.93 |




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**Consultations:-**

Site notice and Press notice were displayed and neighbours notified. Five letters of objection were received raising the following issues:-

a) the area proposed as an external seating area could become a licensed café
b) question raised about the hours of operation for the proposed café and terrace
c) lack of parking in the area
d) the two storey extension to the front of the parish hall is out of keeping
e) impact of development on the conservation area
f) impact on view
g) noise generated by the external terrace area proposed to the café
h) due to phased development being proposed the site could remain empty for a long period of time
i) the removal of the hedge will be detrimental to the character and appearance of the area.

At the time of writing the report comments have not been received from:-

Directorate of Chief Executive (Archaeology)
Market Bosworth Society.

The consultation period remains open at the time of writing this report and expires on 26 May 2011. Comments received before the planning committee meeting will be reported and appraised as a late item.

**Policy:-**

National Policy Guidance

Planning Policy Statement 1 - Delivering Sustainable Development sets out the Governments objectives for the planning system. The document states that high quality and inclusive design should be the aim of all those involved in the development process.

Planning Policy Statement 5: Planning for the Historic Environment sets out the Government's objectives on the conservation of the historic environment. It states that Local Planning Authorities should seek to identify and assess the particular significance of any element of the historic environment that may be affected by the relevant proposal.

Regional Policy

The decision of the Secretary of State for Communities and Local Government ("SoS") on 6 July 2010 to revoke Regional Strategies using powers in section 79 of The Local Democracy, Economic Development and Construction Act 2009 was successfully challenged in the High Court and was quashed in a judgment handed down on 10 November 2010. Following the decision, the SoS has written to local planning authorities stating that the government will introduce the Localism Bill in November containing proposals to abolish Regional Strategies. The government's Chief Planning Officer has also written advising that local planning authorities should still have regard to the SoS's letter of 27 May 2010 and that it should still be regarded as a material consideration. Judgement was recently given in a second challenge by Cala Homes when the Court held that the SoS's intention to reform the planning system by removing regional strategic planning from it is to be taken into account as a material consideration. In relation to the weight to be given to that intention as a material consideration the Court held that `the weight to be given to relevant provisions of Regional Strategies pending the legislative process will be for decision-makers to gauge. Until the end of that process is reached Regional Strategies will remain in place as part of the development plan.

East Midlands Regional Plan 2009

No relevant policies.

Local Development Framework Core Strategy 2009

No relevant policies.

Hinckley and Bosworth Local Plan 2001

The site lies within the settlement boundary of Market Bosworth as defined in the adopted Hinckley and Bosworth Local Plan.

Policy BE8 states that applications for the demolition of buildings in conservation areas will be refused except where it can be demonstrated that the loss of the building will not be detrimental to the character or appearance of the conservation area and that there are proposals for its replacement which would preserve or enhance the character or appearance of the conservation area.

Supplementary Planning Guidance

The Market Bosworth Conservation Area Appraisal 2007 states that Park Street is an urban environment which is softened by a large number of mature trees and hedges. It also states that Park Street has an eclectic mix of properties from various ages and a number of listed buildings. The plan associated with this document identifies the application site as requiring improvements to the site frontage.

**Appraisal:-**

The main consideration with regards to this application is the impact of the development upon the character and appearance of the conservation area.

Impact on the conservation area

The proposed development involves the demolition of the front section of the parish hall within the conservation area that is identified in the Market Bosworth Conservation Area Appraisal as a site that requires improvements to its frontage. The proposal to demolish the front elevation of the parish hall is considered acceptable in principle as the development ties in with planning application 11/00296/FUL which is for a replacement scheme that proposes development upon the areas of the site that are identified for demolition. It is therefore considered that there are proposals in place that would replace the demolished buildings and which proposes redevelopment that enhances the character and appearance of the conservation area.

It is noted that there is a replacement scheme in place that has been assessed under planning application 11/00296/FUL that is considered to enhance the character and appearance of the Market Bosworth conservation area. However due to the siting of the development within the conservation area and the proposed phased schedule of works put forward with the application two conditions will be imposed to protect the character and appearance of the conservation area. Conditions will be imposed that request a contract for demolition and construction works be entered into with the relevant development contractor and an agreed phasing management plan be agreed with the Local Planning Authority prior to any development commencing. This will ensure that the timings of work are adhered to and that the site is developed within a reasonable timescale so that the site is not left in an untidy or unsafe state.

Other Issues

Objections raised in relation to this application.

It should be noted that objections a – g detailed in the consultations section of this report are material to planning application 11/00296/FUL for the extensions and alterations proposed to the parish hall and have been assessed in that separate report.

Removal of hedgerow

The proposals to demolish the front elevation of the parish hall involve the removal of the hedgerow to its front boundary with the highway. Although this is an established low level

hedge line within the conservation area, planning permission is not required for the removal of a hedge within a conservation area.

Impact on view

Impact on view is not a material planning consideration and is therefore not relevant to this case.

Conclusion

The proposed demolition involves the removal of buildings that are considered to be detrimental to the character and appearance of the Market Bosworth conservation area. There is a comprehensive replacement scheme under consideration that is considered to enhance the character and appearance of the conservation area. The impact of demolition upon the conservation area and the potential for construction to follow within a reasonable timeframe can be controlled by condition to ensure that the cleared site doesn't blight the conservation area for a long period of time. The application is recommended for approval subject to conditions and subject to no significant planning objections being received before the expiry of the consultation period on 26 May 2011.

**RECOMMENDATION:- That the Deputy Chief Executive (Community Direction) shall be granted powers to grant planning permission for the development subject to no significant planning objections being received before the expiry of the consultation period on 26 May 2011, permit subject to the following conditions:-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies:-**

Having regard to the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission, the proposed development would be in accordance with the development plan, it is considered that the demolition of the building would not be detrimental to the character and appearance of the Conservation Area and would be in accordance with the development plan subject to compliance with the conditions attached to this consent.

Hinckley and Bosworth Borough Council Local Plan (2001):- Policy BE8

1 The demolition hereby permitted shall not be undertaken before a contract for carrying out of the works of re-development of the site has been made and agreed in writing with the Local Planning Authority and full planning permission has been granted for the re-development for which the contract provides.

2 No development shall take place until a timetable for the scheduling of demolition and construction works has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in strict accordance with the agreed timetable of works.

3 For the period of the demolition of the buildings, vehicle parking facilities shall be provided within the site and all vehicles associated with the demolition shall be parked within the site.

**Reasons:-**

1&2 To protect the character and appearance of the conservation area in the interests of visual amenity to accord with policy BE8 of the adopted Hinckley and Bosworth Local Plan.

3 To ensure that adequate off-street parking provision is made to reduce the possibilities of the demolition of the site leading to on-street parking problems in the area during demolition to accord with Policy T5 of the adopted Hinckley and Bosworth Local Plan.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 All works within the limits of the Highway with regard to the access shall be carried out to the satisfaction of the Southern Area Manager (0116 3052202).

**Contact Officer:-** Scott Jackson Ext 5929