

Delegated Report

Planning Ref: 23/00922/FUL

Applicant: Hinckley Town Cricket Club

Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Hinckley Town Cricket Club, Leicester Road, Hinckley

Proposal: Two storey rear extension and stairs to clubhouse pavilion

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 planning permission for a two-storey extension to the Hinckley Town Cricket Club clubhouse to provide a larger bar/lounge area, an external viewing gallery and additional toilet facilities. Parking provision will be unchanged.

2.2. The applicant has provided a design and access statement outlining the details of the submission and justification for the requirement of the extension.

3. Description of the site and surrounding area

3.1. The site boundary includes the access to the club house from Leicester Road and the club house itself. The application site is located to the north east of Leicester Road, within the green wedge, outside the settlement boundary of Hinckley and is designated as a recreation facility (HIN189). The levels on the site are flat. There is a public bridleway U9 that utilises the site access.

3.2. To the north east of the existing club house is the associated cricket pitch, Leicester Road FC and countryside beyond. To the west is Hinckley Town Tennis club and Hinckley Rugby Club.

4. Relevant planning history

95/00211/OUT

- Erection of building for indoor cricket nets and associated facilities
- PER
- 03.05.1995

88/00269/4

- Proposed first floor extension to provide additional showers and sanitary facilities
- PER
- 26.04.1988

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. No objections/comments have been received.

6. Consultation

- 6.1. HBBC ES Pollution – No objection.
- 6.2. Sport England – No objection.
- 6.3. County Highways – No objection.
- 6.4. HBBC Drainage – No objection.
- 6.5. HBBC Waste – No objection.

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 1 Development in Hinckley
 - Policy 6 Hinckley/Barwell/Earl Shilton/Burbage Green Wedge
 - Policy 19 Green Space and Play Provision
 - Policy 20 Green infrastructure
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM8: Safeguarding open space, sport and recreational facilities
 - Policy DM10: Development and Design
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
 - National Design Guide (2019)
- 7.4. Other relevant guidance
 - Good Design Guide (2020)
 - Hinckley/Barwell/Earl Shilton/Burbage Green Wedge Review Sep 2020

8. Appraisal

- 8.1. Key Issues
 - Assessment against strategic planning policies
 - Design and impact upon the character of the area
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Flood risk and drainage

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) 2023 states that applications for planning permission must be determined in accordance with the

development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. 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.

- 8.3 The relevant development plan documents in this instance consist of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies Development Plan Document (2016) (SADMP).
- 8.4 Policy DM1 of the Site Allocations and Development Management Policies DPD (SADMP) sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay subject to other material planning considerations.
- 8.5 Policy 1 of the CS aims to address the deficiencies in quality, quantity and accessibility of green space and play provision in Hinckley, as set out in the most up to date strategy, and in accordance with policy 19. Policy DM8 of the SADMP seeks to retain land and buildings in recreational/sporting use. The proposal is an addition to the building and will not result in a loss of pitch space.
- 8.6 The site is within the green wedge Policy 6 of the Core Strategy limits development within the Green Wedge, to ensure operational development does not damage the function of the Green Wedge. The Policy encourages development of appropriate recreational facilities within the green wedge on the provision that any land use or associated development in the Green Wedge should:-
 - a) retain the function of the green wedge
 - b) retain and create green networks between the countryside and open spaces with the urban areas
 - c) retain and enhance public access to the Green Wedge, especially for recreation and
 - d) should retain the visual appearance of the area.
- 8.7 Policy 20 of the CS states the Green Wedge should be maintained as it plays an important environmental and landscape protection role. The policy seeks the area to be a large scale recreational asset.
- 8.8 The site also falls within the Countryside where policy DM4 is relevant, Policy DM4 supports development in the countryside for recreational facilities where there is no significant harm to the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.9 The NPPF supports decisions that enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible sports facilities.
- 8.10 Sport England do not object as there is no loss of cricket pitch space and comment that the inclusion of a passenger lift would meet disabled user compliance for the clubhouse.
- 8.11 As no objection is made from Sport England the proposal is considered acceptable in principle in accordance with Policy 1, 6 and 19 of the Core Strategy and Policy DM4 and DM8 of the SADMP, subject to all other policy requirements and material considerations being satisfied.

Design and impact upon the character of the area

- 8.12 Policy DM10(c) and (d) 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 the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally. Policy DM4 seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside from significant harm caused by inappropriate development in the rural area. Whilst Core Strategy Policy 6 also seeks development within the green wedge to retain the visual appearance of the area.
- 8.13 The Good Design Guide SPD provides guidance upon how to design an appropriate commercial development. This includes reflecting the context, considering parking layout and servicing provision.
- 8.14 The proposal seeks to extend the rear (north) elevation of the clubhouse at ground and first floor level. The extension would echo the two-storey flat roof design of the existing clubhouse and is proposed to share the same materials. The extension will contain toilets and a new passenger lift at ground floor level, with an extended bar/lounge area at first floor level.
- 8.15 Overall, it is considered that the extension would create a harmonious extension to the existing building and would not harm the character of the area or the green wedge. The application therefore complies with Policy DM4 and DM10 of the SADMP, and policy 6 of the Core Strategy.

Impact upon neighbouring residential amenity

- 8.16 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 within the vicinity of the site.
- 8.17 No objections have been received to the proposal. The site is an existing building, and no new uses are proposed, just extension to the existing building for its current use. The amenity impact will be similar to the existing.
- 8.18 The nearest residential property is White House Cottage, Barwell Lane, more than 300m to the west. As the extension is to the north of the building, no additional impact is created on that nearest property. Environmental Services have raised no objection and do not suggest any conditions.
- 8.19 The proposal is therefore considered to comply with Policy DM10 with regards to neighbouring amenity .

Impact upon highway safety

- 8.20 Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the

most up to date guidance adopted by the relevant highway authority (Leicestershire Highway Design Guide (LHDG)).

- 8.21 Policy DM18 of the SADMP seeks to ensure parking provision appropriate to the type and location of the development. Developments within the town centre should demonstrate that they would not exacerbate existing problems in the vicinity with increased on-street parking. Policy DM10(g) states that where parking is to be provided, charging points for electric or low emission vehicles should be included, where feasible.
- 8.22 Paragraph 111 of the NPPF (2023) outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 112(e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.23 County Highways raise no objection, stating that there are no known highway safety issues as the access arrangement remains unchanged and is a well-established and suitable access.
- 8.24 In terms of trip generation, the LHA notes that the cricket club aims to increase the numbers of playing membership of the club from 40 to approximately 150 people. The building was originally a combined use as squash courts & cricket club facilities. The squash club has now vacated & the proposal is to provide indoor fitness & training facilities, along with extended social & spectating areas. The LHA considers that increasing the playing membership of the club could occur without planning permission, this is also true for spectator numbers. In addition, the number of events held within the existing pavilion could increase or fluctuate over time without the proposed development coming forward. Furthermore, it is considered training/ fitness facilities could be provided indoors without the need for planning permission.
- 8.25 The LHA consider the proposals are effectively a refurbishment/ improvement of the pavilion, rather than designed to increase capacity or the number of function rooms. When reviewing the existing and proposed floor plans, it is evident a considerable element of the extension is to provide improved toilet facilities on the ground floor, as well as providing a lift and additional staircase. The additional floorspace within the bar/ lounge area equates to approximately 36sqm of the overall proposals. The LHA consider that the additional floorspace within the bar/ lounge area is negligible. Given the above, the LHA consider it would not be possible to demonstrate that the proposals would result in an increase in the level of traffic travelling to/ from the site.
- 8.26 In summary and with the above considerations in mind, the proposal does not conflict with Policies DM17 or DM18 of the SADMP and is therefore acceptable in highway safety terms.

Flood risk and Drainage

- 8.27 Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.28 The site is located within flood zone 1 indicating a low risk of surface water flooding. No concerns have been raised over the increased risk of flooding from the development.

8.29 The Borough Councils Drainage Officer has no objection to the proposal. No changes to the parking area are proposed and so conditions are not necessary.

8.30 The proposal is therefore considered to satisfy policy DM7 of the SADMP in this regard.

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.

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).

10. Conclusion

10.1 The proposal is an acceptable recreational use in the countryside and green wedge, protecting its function and intrinsic value and character. The proposed extension does not result in the loss of any playing pitch and enhances the facilities available. The uses are not considered to result in a severe impact upon pedestrian or vehicular safety and no adverse harm to residential amenity is identified. Therefore, the proposal is considered to accord with Policies DM1, DM4, DM8, DM10, DM17 and DM18 of the SADMP. The application is recommended for approval subject to 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Existing and proposed elevations including site location plan, received 20/09/23
- Existing and proposed floor plans, received 20/09/23

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 proposed extension and alteration shall match the corresponding materials of the existing building.

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

11.3 Notes to applicant

1. 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.
2. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).