

Delegated Report

Planning Ref: 24/00738/FUL

Applicant: Dixie Grammar School

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Dixie Grammar School Market Place Market Bosworth

Proposal: Alteration to existing toilet block

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 Alteration to existing toilet block at the Dixie Grammar School in Market Bosworth.
- 2.2. The existing Joinery workshop is also to be altered and refurbished. The existing toilets are currently unused. The proposal is to increase the level of WC's on the school site. Externally the toilet block would be finished with cladding. The proposal does not require any extension or demolition of the existing building but includes upgrading thermal insulation to external walls and roof. Proposals are indicated on drawings H114(20)01 rev A and H114(20)02 rev A.

Description of the site and surrounding area

- 3.1. The application site forms part of the grounds of The Dixie Grammar School, a Grade II Listed Building located off Station Road in the centre of Market Bosworth. The Dixie Grammar School is a selective 3-18 coeducational independent school set in three sites around Market Bosworth. The three sites are The Dixie Grammar Junior School off Bosworth Road [west of Market Bosworth], The Dixie Grammar School [centre of Market Bosworth] and The Dixie Grammar School Sports Ground [north of Market Bosworth].
- 3.2. The school is centred upon The Dixie Grammar School to the centre of Market Bosworth. The school is an island development surrounded by roads, Station Road & Back Lane. Within the grounds of The Dixie Grammar School there are a substantial number of buildings with the focus being on Former School & Former Bank [Now School] visible off Station Road. The various buildings within the school vary in size, location and style with some being timber-framed cabins, however most are brick-built.
- 3.3. The main school building dates from 1828. It is constructed in limestone ashlar with plain tiled roof and has considerable architectural adornment to its elevations. It occupies a corner position within the south-east section of the wider school site and is a prominent feature within the street scene of Station Road, Market Place and Back Lane. The special historic and architectural interest of the building is clearly evident and due to this it also contributes positively to the character and appearance, and thus significance, of the Market Bosworth Conservation Area.
- 3.4. The remainder of the school site consists of an eclectic mix of buildings, including the school masters house (constructed at the same time as the school in 1828 and also of some architectural interest) and then more functional development to serve the operation of the school constructed at various times during the 20th century. The

interior of the school site is largely hidden due to the presence of built form and high perimeter brick walls along Station Road and Back Lane.

Relevant planning history

03/01410/FUL

- ERECTION OF FENCING AND GATES
- Permission
- 09.02.2004

05/00253/FUL

- STORAGE EXTENSION TO EXISTING TOILET BLOCK
- Permission
- 05.05.2005

07/01474/FUL

- ERECTION OF GROUNDSMAN'S STORE
- Permission
- 11.02.2008

14/00701/FUL

- Formation of new doorway
- Permission
- 23.09.2014

17/00447/FUL

- Conversion of barn to music room and single storey extension
- Permission
- 03.07.2017

19/00446/FUL

- Erection of gates off Back Lane
- Permission
- 20.06.2019

24/00582/FUL

- Internal alterations to former bank and single storey glazed link including associated external alterations.
- Permission
- 06.08.2024

Publicity

- 5.1. The application has been publicised by sending out letters to local residents.
- 5.2. A site notice was also posted within the vicinity of the site.
- 5.3. A notice was displayed in the local press.
- 5.4. No representations from the public have been received.

Consultation

- 6.1. Market Bosworth Parish Council have no objection.
- 6.2. Market Bosworth Society made comments in support of the Planning Application.
- 6.3. HBBC Conservation Officer- No objection
- 6.4. Historic England- No advice provided.
- 6.5. HBBC Waste- No comments or objections
- 6.6. HBBC Pollution- No objection
- 6.7. LCC Highways- No comments or objection

Policy

- 7.1. Market Bosworth Neighbourhood Plan 2014-2026
 - POLICY CE1: Character and Environment
 - POLICY CE3: Important Views and Vistas
- 7.2. Core Strategy (2009)
 - Policy 11: Key Rural Centres Stand Alone
- 7.3. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM17: Highway Design
 - Policy DM18: Vehicle Parking Standards
 - Policy DM25: Community Facilities
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)

Appraisal

- 8.1. Key Issues
 - Assessment against strategic planning policies
 - Design and impact upon 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 Market Bosworth and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.
- 8.3 Educational facilities are identified as a community facility within Paragraph 17.4 of Policy DM25 of the SADMP. Policy DM25 of the SADMP states that the Council will resist the loss of community facilities including ancillary areas.

- 8.4 The development provides improved toilet facilities within an existing building in the school grounds. The school is identified within the settlement boundary of a Key Rural Stand Alone Centre. By virtue of these factors, the development is considered acceptable in principle, subject to the assessment of all other material considerations. Other material considerations are set out within the next sections of the report.
- 8.5 The proposed development is considered acceptable in principle.

Design and impact upon the character of the area and heritage assets

- 8.6 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.
- 8.7 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.
- 8.8 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.
- 8.9 Section 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Paragraphs 200-204 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.
- 8.10 Policy 11 of the Core Strategy seeks to support the local services in Market Bosworth and maintain rural population levels. This requires new developments to respect the character and appearance of the Market Bosworth Conservation Area by incorporating locally distinctive features of the conservation area into the development.
- 8.11 Policy CE1 of the Market Bosworth Neighbourhood Plan states that all new development should be in keeping with its character area. The site lies within Character Area C which is given an Education designation and forms the educational focus of Market Bosworth. Character Area C consists of the following: St Peter's C of E Primary Academy; The Market Bosworth School (a Secondary School); The Dixie Grammar School; Sports and playing fields.
- 8.12 The land uses within Character Area C have the defined character of: Mown and well kept playing fields, largely enclosed by boundary trees; Large educational

buildings surrounded by hard surfacing; Outdoor sporting apparatus including floodlighting.

- 8.13 Policy CE3 states that developments that harm important views into or vistas out of Market Bosworth will be resisted. New development will not be supported if it has a significantly adverse impact on an important view or vista. The site lies within view 2 and vista 13 in the NP.

- 8.14 The Conservation Officer was consulted and his comments were:

'These applications seek permission for alterations to an outbuilding within the wider Dixie Grammar School site and the curtilage of the grade II listed school building. The site is also located within the Market Bosworth Conservation Area.

The listed building entry (National Heritage List England (NHLE) ref 1074266) identifies the Dixie Grammar School building as:

"Former School. Dated 1828. Limestone Ashlar with plain tiled roof. Tall two storeyed, seven bays in two parts, (four-three). Left hand section is symmetrical about a pedimented central gable with angle turrets, containing the entrance which is a four-centred archway beneath hood mould with foiled lancet above. Gothick detailing throughout. Windows have stone mullions and transoms and hood moulds and are of 3 and four-lights in the left hand section and of two-lights to the three storeyed right hand three bays. All windows have latticed metal glazing. Parapet with fretted decoration. Wood cupola above gable and a clock in its apex. Over the doorway is an inscription in Latin and Greek and with the date."

The building does still operate as the main school building for the Dixie Grammar School so is not a 'former' school.

The application building dates from the inter-war period and is located to the north-west of the main listed school building. It has a rectangular plan form with flat roof, is constructed of brick red brick with rendered front elevation, and has simple fenestration, all of which provide it with a functional appearance. It currently operates as a toilet block and joinery workshop, fulfilling an ancillary function to the main school building. Overall, it is considered that the outbuilding makes a neutral contribution to the significance of the main listed building and the character and appearance of the area, which includes the Market Bosworth Conservation Area.

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses. Section 66 of the Act places a duty on the local planning authority when considering whether to grant planning permission to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

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 extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

The proposal seeks to make alterations to the application building so it can operate fully as a toilet block. Alterations to the external elevations of the building consist of cladding it in horizontally laid timber and replacing the windows with top hung up upvc casements of a similar profile as existing. The existing gable end elevation fenestration would be covered by the cladding. A slight increase in the scale of the building is proposed due to the need for a parapet at the eaves level.

The proposal would continue to ensure that the outbuilding has an ancillary use to the main school building and in my opinion the proposed alterations would continue to provide the outbuilding with a functional appearance. The proposal would therefore have a neutral impact on the curtilage listed building to the Dixie Grammar School and is compatible with its significance, whilst preserving the character and appearance and thus significance of the Market Bosworth Conservation Area. The proposal therefore complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duties of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990'.

- 8.15 For the above reasons it is considered that the proposed is compatible with the significance of the listed buildings and their setting and would preserve the character and appearance and thus significance of the Market Bosworth Conservation Area.
- 8.16 The proposed development would retain the character of this character area through its siting, which helps to retain the defining feature of large educational buildings surrounded by hard surfacing. The proposed is an existing building and would have a slightly larger scale and mass due to the need for a parapet at the eaves level. Also due to its position, set back from the streetscene, the visual impact from this proposal is considered negligible and will not adversely impact the significance of the listed main school building or the wider conservation area. The proposed cladding would improve the visual appearance of the building and is not considered to result in a building that would be out of character for the context of the school site or the wider area.
- 8.17 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 buildings being linked by the proposal and will preserve the significance of the Market Bosworth 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.

- 8.18 By virtue of the scale, siting, and design of the proposed development the proposal would not adversely impact the important views and vistas in the NP. Therefore it is considered that the proposed development would be in general accordance with Policy DM10 of the SADMP and Policy CE1 and CE3 of the Market Bosworth NP in regard to design and impact upon the character of the area.

Impact upon neighbouring residential amenity

- 8.19 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.
- 8.20 The proposed is an exiting building within the school grounds and set back from the street. The toilet block is approx. 60m from the nearest residential dwelling on Station Road. The proposed will provide better facilities for students and improve the appearance of the building. As such there would be no further impacts to the amenity of neighbouring residents.
- 8.21 As a result of the suitable siting and design of the toilet block, 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.

Highways

- 8.22 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
- 8.23 Policy DM18 of the SADMP requires proposed developments to provide an appropriate level of parking provision.
- 8.24 The planning application does not propose any alternative vehicle access arrangements and therefore the highways situation will remain as per the current situation. As the proposed development is for an upgrade of the toilet facilities only there will be no increase in the number of staff or pupils in attendance at the school and therefore there will be no increased pressure for parking at the site.
- 8.25 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.

9.0 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 application site is located within the settlement boundary of Market Bosworth where the presumption in favour of sustainable development applies. This is set out in Policy DM1 of the SADMP and Paragraph 11 of the NPPF.
- 10.2. It is considered that the proposed is of an appropriate scale, siting and appearance as to be compatible with the significance of both listed buildings and their setting, with the toilet block preserving the character and appearance and thus significance of the Market Bosworth Conservation Area. Furthermore there is not considered to be any significant adverse impacts to the amenity of neighbouring occupants, or highway safety.
- 10.3. The proposal therefore complies with Policies DM10, DM11, DM12, DM17, DM18 of the SADMP, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990. Therefore the recommendation is to approve subject to the following conditions.

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 No.H114 (90)01 received 31.07.2024
Landscaping Plan Drg No. H114 (90)03 received 31.07.2024
Parking Plans Drg No. H114 (90)04 received 31.07.2024
Proposed Floor Plans Drg No. H114 (20)01 received 31.07.2024

Proposed Elevations Drg No. H114 (20)02 received 31.07.2024
Application form received 31.07.2024
Design and Heritage Statement received 31.07.2024

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 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 accord with the approved proposed plan received 31.07.2024.

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).

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.