

Delegated Report

Planning Ref: 24/00711/FUL

Applicant: Mr Jim Houghton

Ward: Newbold Verdon, with Desford & Peckleton

Site: Sport In Desford, Peckleton Lane, Desford

Proposal: Installation of air source heat pumps and solar array



Hinckley & Bosworth
Borough Council

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 proposes the installation of an air source heat pump to the rear of the site, and additional solar panel arrays on the pitched roof of the site, similar in appearance to the existing solar panels on site.

3. Description of the site and surrounding area

- 3.1. The application site is located within the Countryside but is an established sporting and recreational site, which benefits from a number of sporting facilities. The site is located off Peckleton Lane, and the main unit is set back from the highway. It is located to the south of Desford and to the east of Peckleton Lane. The 0.34 hectare site comprises a main clubhouse/changing facilities building, hard surfaced parking areas, a separate tennis club building, 3 x enclosed tennis courts with spectator stand, football pitch and a bowling green.
- 3.2. It is located in the countryside with agricultural land to the east, part south and part north, a residential property and meeting place to the part north, a commercial seed processing business to the part south and the Neovia/Caterpillar employment site to the west. The boundary with Peckleton Lane is defined by young trees and hedgerow and wide grassed highway verge.

4. Relevant planning history

19/00193/CONDIT

Variation of condition 2 and removal of condition 3 of planning permission 16/00637/FUL for approval of alternative layout, parking, landscaping and fencing details and removal of the spectator stand (retrospective)

Planning Permission

11.04.2019

16/00637/FUL

Erection of 2x sport courts, 6x floodlights, covered spectator stand, car park and associated fencing and landscaping

Planning Permission

07.09.2016

5. Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site and letters sent to neighbours.
- 5.2. No comments have been received.

6. Consultation

- 6.1. LCC Highways: No objections.

- 6.2. HBBC Environmental Health Pollution: No objections.
- 6.3. Sport England: No objections.
- 6.4. HBBC (Greenspaces): No comments received.
- 6.5. Desford Parish Council: No comments received.
- 6.6. HBBC (Sports and Development): No comments received.

7. **Policy**

7.1. **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 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

7.2. Core Strategy (2009):

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 19: Green Space and Play Provision

7.3. Desford Neighbourhood Plan (2021)

- F1: RETENTION OF EXISTING 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)

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

Assessment against strategic planning policies

- 8.2. The NPPF identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states 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. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

- 8.3. The development plan in this instance consists of the Core Strategy (2009), the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016) and the Desford Neighbourhood Plan (DNP) (2021).
- 8.4. Policy DM4 of the SADMP, confirms the restrictions on development in the Countryside and outlines the proposals which would be considered sustainable. The proposal for a for solar panels and air source heat pumps would be considered in accordance with Policy DM4, through the provision of renewable energy sources. In addition, the development introduces solar panels and an air source heat pump onto the existing main unit on site.
- 8.5. The proposal would not result in the loss of or change to the sporting facilities/playing pitches on site but would help provide renewable energy for the facility in compliance with Policy DM25 of the SADMP.

Design and impact upon the character of the area

- 8.6. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.7. The proposal seeks to introduce further solar panels onto the roof of the main building at the development site. The site already benefits from solar panels, and it is not considered that the introduction and erection of further solar panels would cause a detrimental impact to the character of the area. The addition of an air source heat pump would also have limited impacts on the design and character of the area, given its location, which is to the rear of the main building, and is therefore for viewable from public vantage points with the exception of a small number of car parking spaces.
- 8.8. It is therefore considered that the proposed building would have no detrimental impact on the character of the area and is therefore in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.9. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.10. The development site is located within the Countryside, however, the site is a well-established sports and recreational site, located on the edge of the settlement on Desford. The development site neighbours a small number of residential dwellings, however, it is considered that due to the scale and location of the proposed air source heat pump and the solar panels would not give rise to any detrimental impacts on neighbouring residential amenity in terms of loss of light, loss of privacy, overbearing or overshadowing impacts.
- 8.11. In addition, Environmental Health have been consulted as part of this application process and have confirmed they have no objections to the scheme, it is considered that the proposal would have no impact on neighbours in terms of noise pollution impacts.

- 8.12. As such is it considered that the proposal is in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.13. Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 of the SADMP requires new development to provide an appropriate/justified level of parking provision.
- 8.14. County Highways have been consulted as part of this application and have confirmed that the proposals would have no impact upon the highway with regard to highway safety or parking provision. The proposal will have no impact upon the existing parking provision at the site.
- 8.15. Overall the proposal would not result in adverse impacts upon highways safety and would be in accordance with Policies DM17 and DM18 of the adopted SADMP.

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. proposal is considered acceptable due to the limited impacts upon the character of the area and the amenity of neighbouring residential properties, and limited impacts on highway safety and vehicle parking.
- 10.2. It is considered that the proposed development would be in accordance with Policies DM4, DM8, DM10, DM17, DM18 and DM25 of the adopted SADMP, Policies 7, 8 and 19 of the Core Strategy, and Policy F1 of the DNP.

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
Proposed Elevation Plan
Parking and Landscaping Provision Statement
Planning Statement
Proposed Air Source Heat Pump Model Details
Site Plan 1
Site Plan 2
Design and Access Statement

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).

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.