

Delegated Report

Planning Ref: 23/00676/FUL

Applicant: Richmond County Primary School

Ward: Hinckley



Hinckley & Bosworth
Borough Council

Site: Richmond County Primary School, Towers Drive, Hinckley

Proposal: Demolition of existing mobile classroom and replace with a new modular building

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 the construction of a replacement of the EYFS Classroom at Richmond Primary School.
- 2.2. An existing mobile classroom has surpassed its life expectancy and is no longer fit for purpose, this is proposed to be replaced by the new permanent classroom. The new classroom is proposed to be of a modular construction on a broadly similar footprint and similar scale to the existing classroom.
- 2.3. The building would be finished in part render and part cedar cladding.

Description of the site and surrounding area

- 3.1. The site is located at the rear of the main school known as block A (A grade II Listed building) and would replace an existing modular outbuilding which does not form part of the listed building (no listed building application necessary). The School is situated in the urban area of Hinckley.
- 3.2. The National Heritage List Entry (ref 1440485) identifies that the listed building dates from 1968-70 and is the simplest and most dramatic example of a mature primary school designed to the Leicestershire Plan. 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 of the area.

- 3.3. The application building sits within the wider setting of the main listed school building and is considered to be a building of typical appearance within the periphery of a primary school. The existing classroom has no historic or architectural interest and due to its siting, form and low scale it has a neutral presence within the setting of the main listed school building and the wider area.

4.0 **Relevant planning history**

Various planning application relating to the extension of or additions to the School including but not limited to:

Proposed demolition of the middlefield building at Richmond Primary school and replacement with a new proposed designed single storey building, including accommodation for a satellite facility for the Dorothy Goodman special school, new parking and hard and soft play areas.

Approved 30/09/2009

Non-material amendment to planning permission 2009/0613/4 to amend the configuration of various windows, the addition of ventilation stacks and changes to parapet roof heights on the west, east & north elevations (2010/L401/04)

Approved 15/12/2010

Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site.
- 5.2. A notice was displayed in the local press.
- 5.3. No representations from the public have been received.

Consultation

- 6.1. HBBC Conservation Officer has no objections.
- 6.2. HBBC Drainage has no objection on sustainable drainage grounds
- 6.3. LCC Highways have no objections.
- 6.4. HBBC Waste have no objections
- 6.5. HBBC Environmental Services have no objections
- 6.6. Historic England do not wish to offer any comments.

Policy

- 7.1. 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
- 7.2. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2019)
 - Planning Practice Guidance (PPG)
- 7.3. Other relevant guidance
- Good Design Guide (2020)

- National Design Guide (2019)

Appraisal

8.1. Key Issues

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

Design and impact upon the character of the area

- 8.2 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.
- 8.3 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.
- 8.4 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.
- 8.5 Section 16 of the National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Paragraphs 193-196 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.
- 8.6 The proposed development would retain the character of the listed building & this area through its siting, which helps to retain the defining feature of large educational buildings surrounded by hard surfacing. The proposed building would be slightly smaller in scale to the building which it would replace on the same site. The proposed replacement classroom would be constructed of cedar cladding and panels of rendered blockwork and form a thermally efficient construction, which will help to reduce the school's energy costs whilst providing a much better teaching environment for both children and staff. The new classroom will have a life expectancy of 60-70 years & would sit comfortably within the setting at the rear of the main Grade II Listed school building.
- 8.7 Overall the proposal is considered to result in a replacement building of an appropriate scale and mass, and due to its position within the interior of the site the visual impact from this increase is considered negligible and will not adversely impact the significance of the listed main school building or the wider area. The construction materials are also largely functional in nature and appearance but are not considered to result in a building that would be out of character for the context of the school site or the wider area.

- 8.8 Consequently it is considered that the proposal will have no particular adverse effect on the wider setting and so the proposal will be compatible with the significance of the Grade II Listed building. 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.
- 8.9 By virtue of the scale, siting, and design of the proposed development, it is considered that the proposed development would be in general accordance with Policy DM10 of the SADMP in regard to design and impact upon the character of the area.

Impact upon neighbouring residential amenity

- 8.10 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.
- 8.11 The proposed siting of the new classroom building is fairly central on the School site, and over 70m from the nearest residential dwelling with mature trees between the proposed classroom and these dwellings. The proposed building is bound to the west by larger school buildings. To the east is a large open field.
- 8.12 To the south of the site is the school hardsurfaced playing area, beyond which is a car park. The proposed building would be over 40m to the site boundary, and separated by various trees and shrubs from the road. Consequently there is not considered to be any adverse amenity impacts to the residential enjoyment of neighbouring dwellings. Due to this separation distance, it is not considered that the proposed building would provide any adverse impacts in regard to noise, overshadowing, overbearing or overlooking to the occupants of these nearby properties.
- 8.13 As a result of the suitable siting and design of the proposed building, 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

- 8.14 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
- 8.15 Policy DM18 of the SADMP requires proposed developments to provide an appropriate level of parking provision.
- 8.16 The submitted Design & Access Statement submitted in June 2023, states that the planning application does not propose any alternative access arrangements and therefore the highways situation will remain as per the current situation. It is also stated that the proposed development is for a replacement building and 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. The Local Highway Authority have raised no objection on these grounds.
- 8.17 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.

Other Matters

- 8.18 The site is a designated Community Facility within Policy DM25 of the SADMP, the proposal relates to the loss of the existing mobile classroom however, it will be replaced with an equivalent classroom which has long term benefits for the school. There is therefore no conflict with Policy DM25.

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 Hinckley 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. Furthermore the proposal would not result in the loss of community facilities owing to the replaced classroom provision in accordance with DM25 of the SADMP.
- 10.2. It is considered that the proposal will consist of a neutral element of the setting of the main listed school building, and so the proposal will be compatible with the significance of the grade II listed building. 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 received 07.07.2023, Proposed Elevations and Floor Plan - Drg. No J5773-30 Rev. A - received on 13.07.2023

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 accord with the approved Proposed Elevations and Floor Plan - No J5773-30 Rev. A - received on 13.07.2023.

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.