

Delegated Report

Planning Ref: 24/00490/FUL

Applicant: Mr Matt Nicolle

Ward: Hinckley Trinity

Site: Redmoor High School Academy Trust, Wykin Road, Hinckley

Proposal: New electrical substation



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 proposal seeks to erect a new electrical substation within the school grounds. The substation is green in colour. A small section (4.5m) of hedgerow is required to be removed for the siting of the substation.

3. Description of the site and surrounding area

- 3.1. Redmoor Academy is located to the North West of Hinckley. The development site is located within the existing cluster of school buildings. The school is bounded by residential properties and Dorothy Goodman School to the East. There are existing boundary treatments situated between the development site and Wykin Road including existing trees providing a degree of natural screening. There is existing car parking facilities at the site located South of the main Academy buildings, including an overflow car park.

4. Relevant planning history

23/01164/FUL

New sports hall with changing facilities, classrooms, car parking, landscaping and solar panels

Planning Permission

10/05/2024

23/01068/FUL

Proposed two storey classroom block and associated works (following demolition of existing temporary classroom block)

Planning Permission

09/01/2024

20/00797/FUL

Construction of toilet block to side of school

Planning Permission

01/10/2020

18/00002/FUL

Two storey extension to Science and Mathematics block

Planning Permission

13/11/2018

5. Publicity

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

6. **Consultation**

6.1. HBBC Pollution: No objection.

6.2. LCC Minerals: No objection.

7. **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 DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM25: Community Facilities

7.2. **Core Strategy (2009)**

- None

7.3. **National Planning Policies and Guidance**

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.4. **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. Paragraph 2 of the National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 12 of the NPPF state that the development plan is the starting point for decision making and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the adopted Core Strategy (2009) and the adopted Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

8.3. Policy DM1 of the SADMP provides a presumption in favour of sustainable development. Policy DM25 of the SADMP supports the redevelopment of community facilities borough wide.

8.4. Policy DM25 states that the Borough will resist the loss of community facilities, and will only be acceptable where it can be demonstrated that an equivalent range of replacement facilities can be provided in an appropriate location. This proposal whilst relating to the school, does not impact any of the existing facilities on the site. The proposal can therefore be considered to be in accordance with Policies DM1 and DM25 of the Site Allocations and Development Management Policies DPD.

Design and impact upon the character of the area

- 8.5. 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.
- 8.6. The proposal is to be located within close proximity to the existing boundary fence, which fronts Wykin Road, Hinckley. The proposal includes the removal of a small section of hedgerow, and the relocation of a tree which is to be planted following the approval of the Sports Hall under application 23/01164/FUL. The substation is to be surrounded by 2m high green fencing, similar to that of the existing boundary fencing.
- 8.7. The proposal would be visible from the streetscene, but would not look out of character when considering the sizeable buildings acting as a backdrop and when considering the hedgerow and tree planting surrounding the proposed unit. The proposed unit is not considered to cause detrimental impacts to the character of the area and as such is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.8. 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.
- 8.9. The proposed unit is located adjacent to neighbouring residential development, but is separated by the existing boundary fencing, pavements and Wykin Road, in addition to the front gardens of the neighbouring properties. The development is single storey and would not give rise to impacts to residential amenity in terms of loss of light, overbearing or privacy issues. In addition, HBBC Environmental Health have been consulted as part of this proposal and have given no objections, the proposal is not considered to cause noise impacts to neighbouring residents.
- 8.10. As such it is considered that the proposal is in general accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.11. Policies DM17 and DM18 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety and requires new development to provide an appropriate/justified level of parking provision.
- 8.12. The proposal does not have any material impact on Highway safety and does not have any impact on the existing car parking provision on site, by the nature and location of the development.
- 8.13. As such it is considered that the proposal is in general accordance with Policies DM17 and DM18 of the 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).

9.5 Conclusion

- 10.1. It is considered that the proposal has limited impacts on the character of the area, neighbouring amenity and highways safety. The proposal therefore complies with Policies DM1, DM10, DM17, DM18 and DM25 of the SADMP.

10. 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:

Planning Statement

Location Plan - Substation Drg No. 03

Proposed Site Plan – Substation Drg No. 103

Foundation Layout and Details Drg No. NC1V-001 Rev 1.0

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).

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.