

Delegated Report

Planning Ref: 24/00542/FUL

Applicant: Mr David Shakeshaft

Ward: Cadeby, Carlton, M Bosworth and Shackerstone

Site: Market Bosworth Rugby Football Club, Cadeby Lane, Cadeby

Proposal: Single storey flat roof extension, entrance canopy and associated groundworks



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 a single storey flat roof extension to the existing clubhouse, with an entrance canopy. The proposal extends the clubhouse to the East.

3. Description of the site and surrounding area

- 3.1. The Market Bosworth Rugby Club House building is located on Cadeby Lane and to the east of Market Bosworth Conservation Area. The eastern section of the conservation area is characterised by the historic parkland of the former Market Bosworth Hall. The club house building is a rectangular plan single storey building of predominantly brick and tile construction with a weatherboarded extension further to the west. On the exit from the conservation area travelling east along Cadeby Lane the club house building and all land associated with the club is fully screened by mature vegetation along the Lane and a copse plantation immediately west of the application site. On the approach to the conservation area travelling west along Cadeby Lane there is a well-maintained hedgerow along the Lane which means only the roofscape of the club house building is visible, set against the backdrop of the copse plantation.

4. Relevant planning history

None

5. Publicity

- 5.1. The application has been publicised by posting neighbour letters and a site notice has been posted within the vicinity of the site. A press notice was posted in the Hinckley Times.
- 5.2. No comments have been received.

6. Consultation

- 6.1. HBBC Conservation Officer: No objections, comments included within the body of this report.
- 6.2. HBBC Drainage: No objections, note to applicant.
- 6.3. Cadeby Parish Council: No objections.
- 6.4. LCC Waste and Minerals: No objections.
- 6.5. Sport England: No objections.

7. Policy

7.1. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM25: Community Facilities

7.2. National Planning Policies and Guidance

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

7.3. 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), and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).
- 8.4. Policy DM25 of the SADMP states that the Borough Council will support the formation of new community facilities across the Borough.
- 8.5. Policy DM8 of the SADMP states that planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use except where a replacement typology is provided in an appropriate location serving the local community or where the development of a small part of a larger site in recreational use would result in the enhancement of recreational facilities on the remainder of the site.
- 8.6. The proposal is for the extension of the existing clubhouse facility. The proposal would support the continued function and operation of the clubhouse with improved facilities and would not lead to the loss of any sports and recreational land/use.

Sport England have been consulted as part of this proposal and have also confirmed that they have no objections to the proposal given there is no impact on the sports fields.

- 8.7. The proposal is therefore in accordance with Policy DM1, DM8 and DM25 of the SADMP.

Design and impact upon the character of the area

- 8.8. 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.
- 8.9. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.10. 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.
- 8.11. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.12. The proposal is for a single storey flat roof extension, entrance canopy and associated groundworks. Given the siting the proposed development of the eastern elevation of the club house building it would not be visible when positioned within the conservation area on Cadeby Lane. On the approach to the conservation area travelling west along Cadeby Lane, the extension would barely be visible over the existing hedgerow to the Lane due to its single storey scale and proposed flat roof form. The extension and porch are proposed to be clad in weatherboarding which would also reflect the largely rural context of the site. Overall, when glimpsed from this position the extension would sit comfortably within the wider setting of the conservation area and have no adverse effects upon its key characteristics. Consequently, the proposal would preserve the significance of the conservation area or character of the area and thus comply with Policies DM10, DM11 and DM12 of the Site Allocations and Development Management Policies DPD and section 16 of the NPPF.

Impact upon neighbouring residential amenity

- 8.13. 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.
- 8.14. The development site is located adjacent to a number of residential dwellings. These dwellings are separated from the development site by existing boundary treatments consisting of mature hedgerow and the highway of Cadeby Lane. The proposal is single storey and nature and is therefore not considered to cause any detrimental impacts to neighbours in terms of loss of light, loss of privacy,

overshadowing or overbearing impacts. In addition, the extensions proposed under this application are not considered to lead to a significant intensification at the site leading to increased noise concerns.

- 8.15. As such it is considered that the proposal would have no significant impacts on neighbouring residential amenity, and thus is considered to be in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.16. 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.
- 8.17. The proposals for a minor single storey extension to the existing clubhouse is not considered to cause any detrimental impacts to highway safety, nor will it have any impact on the existing parking provision at the site.
- 8.18. 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.

Equality implications

- 8.1 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.
- 8.2 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.
- 8.3 There are no known equality implications arising directly from this development.
- 8.4 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. **Conclusion**
- 10.1. The proposal is considered acceptable due to the limited impacts upon the character of the conservation area and the amenity of adjacent buildings, and its limited impacts on highway safety/parking. The proposal also does not impact the existing sports pitches/use at the site nor does it detrimentally impact the existing community facility. It is therefore considered that the proposed development would

be in accordance with Policies DM8, DM10, DM11, DM12, DM17, DM18 and DM25 of the adopted 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 Drawing 1 Drg No. 05
Proposed Site Layout Drg No. 23-98-SK05
Design and Access Statement
Proposed Location Plan and Site Plan Drg No. 16198 A0750-P01
Proposed Elevations Drg No. 16198 A1151-P02
Proposed Roof Plan Drg No. 16198 A1011-P02
Proposed Ground Floor Plan Drg No. 16198 A1010-P02

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.