

Delegated Report

Planning Ref: 23/00268/FUL
Applicant: Leicester Road Football Club Ltd
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: Leicester Road Football Club Leicester Road
Football Ground Leicester Road

Proposal: Proposed new food retail unit and extension to existing club shop

1. Recommendations

- 1.1. Grant planning permission subject to the condition at the end of this report

2. Planning Application Description

- 2.1. The proposals include a two-storey side extension to the existing bar and function room on the southern side of the site to form a club shop, along with a new food retail unit which would form an extension to the existing rear stand.
- 2.2. The two-storey side extension would follow the form and materials of the existing building, whilst the refreshments area would involve a stepping down of the existing rear stand with a similar canopy design and matching materials to the wider built form.

3. Description of the Site and Surrounding Area

- 3.1. The application site is an existing football club accessed from the B4668 Leicester Road. The site is located outside of the settlement boundary for Hinckley and within the area defined as Green Wedge.
- 3.2. The site is to the west of Leicester Road and includes a stadium and associated stands along with changing facilities, a gym and lounge/bar facilities. The site is bounded to the east by the Leicester Road, north by the A47, west by grass football pitches and south by the Hinckley Town Cricket club ground. Mature hedgerows mark the northern and southern boundaries. The site is relatively level apart from a gentle slope which falls north to south adjacent to the southern elevation of the eastern single storey building that currently contains the club house.

4. Relevant Planning History

19/00784/FUL	Two storey extension to east annex and first floor extension to west annex by south stand to form additional function rooms.	Planning permission	07.10.2019
18/00164/FUL	Erection of a bund and refreshments hut (part retrospective)	Refused	21.11.2018
15/00887/FUL	Two storey extension to east annex and first floor extension to west annex by south stand to form additional function rooms.	Planning Permission	23.11.2015

5. Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site. There are no neighbours near the site. No letters of representation have been received.

6. Consultation

- 6.1. No objections, some subject to conditions, have been received from:
- HBBC Drainage
 - Sport England
 - LCC Highways
 - Barwell Parish Council
 - Environmental Health (Pollution)

7. Policy

7.1. Core Strategy (2009)

- Policy 1: Development in Hinckley
- Policy 6: Hinckley/Barwell/Earl Shilton/Burbage Green Wedge
- Policy 20: Green Infrastructure

7.2. 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 DM7: Preventing Pollution and Flooding
- Policy DM8: Safeguarding Open Space. Sport and Recreational Facilities
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)
- 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 site is an existing football club which was granted permission in 2003. The current stadium includes a main two-storey building housing the spectator area along with a gym on the ground floor and lounge areas, boardroom and bar to the first floor. Core Strategy Policy 1 supports the development of new leisure facilities and sporting hub on land off the A47 in the vicinity of the football stadium. Core Strategy Policy 20 states that the Green Wedge will be maintained as an important

environmental and landscape asset, whilst developing it as a large-scale recreational asset.

- 8.3. The site is located within the countryside and so Policy DM4 of the SADMP is relevant. The site is also located within the designated area of the green wedge that separates Hinckley from Barwell, Earl Shilton and Burbage. Policy 6 of the Core Strategy limits development within this area to preserve the individual identity of the settlements and provide access from the settlements to green space. Within this area, uses are encouraged which provide appropriate recreational facilities. Recreation use is an acceptable use in the Green Wedge and associated development should:

- a. retain the function of the green wedge
- b. retain and create green networks between the countryside and open spaces with the urban areas
- c. retain and enhance public access to the Green Wedge, especially for recreation and
- d. should retain the visual appearance of the area.

It is considered that the development would retain the function of and access to the green wedge and green networks. Visual appearance is considered later in this report.

- 8.4. Policy DM8 states that planning permission will not be granted for proposals resulting in the loss of land or buildings in recreational or sporting use, except in certain circumstances. The proposal is to expand the existing sporting and commercial facilities associated with the club, and will not result in the loss of any sports pitches, therefore such a proposal is in accordance with this policy. The NPPF has a presumption in favour of sustainable development and the proposal extends existing buildings to support the other uses on the site and to provide the social hub and income to sustain the club.

- 8.5. Therefore, the principle of development is considered to be acceptable and in accordance with Policies 1, 6 and 20 of the Core Strategy and Policies DM4 and DM8 of the SADMP.

Design and impact upon the character of the area

- 8.6. Policy DM4 of the SADMP states that outdoor sport or recreation purposes in the countryside will be considered sustainable where the proposal does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside. Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area and that the use and application of building materials respects the local area generally.
- 8.7. The site consists of the main stadium and its buildings which are surrounded by car parking and other sports pitches. The site still has an open character with the stadium being the focal point for built development.
- 8.8. The function room/bar building proposed to be extended is a detached linear structure, with a simple form and design. The extension follows the form and design of the original building and would be in keeping with the design of the other stadium buildings. The proposed windows provide a lower solid to void ratio which is to be expected for a commercial use (club shop) and although this differs from the rest of

the building, it is considered to be an appropriate and attractive design. The use of a mono-pitch roof accords with the rest of the building and is acceptable.

- 8.9. The proposed food retail unit would create a lower canopied structure continuing from the Thomas Powers Stand on the northeastern elevation of the stadium. The structure would have a simple design with a customer access stairwell and window hatch for the service of refreshments. The opposite side facing the pitch would contain the club crest and a matching design to the surrounding structure.
- 8.10. The materials used are to match the existing, with facing brickwork, UPVC windows and steel roofing panels. A condition will be included to ensure that the materials match the original building(s).
- 8.11. Based on the above assessment the development does not unacceptably harm the character or appearance of the area and would accord with Policies DM4 and DM10 of the SADMP and Policy 6 of the Core Strategy.

Impact upon neighbouring residential amenity

- 8.12. Policy DM10 of the SADMP states that proposals should not adversely affect the amenity of the occupiers of the neighbouring properties.
- 8.13. The adjacent land uses are recreational and there are no immediate residential dwellings within proximity of the site. A condition is recommended ensuring the development is used in connection with or ancillary to the football ground, such that the development is unlikely to cause additional noise, disturbance or disruption to surrounding residents.
- 8.14. Based on the above restrictions, it is not considered that the proposal would cause undue noise and disturbance to the occupiers of dwellings in the area once the buildings are occupied. The proposal would thus comply with the requirements of Policy DM10 of the SADMP.

Impact upon highway safety

- 8.15. Policy DM17 of the SADMP supports development that would not have any significant adverse impacts on highway safety and Policy DM18 of the SADMP state that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and that there is no impact on highway safety.
- 8.16. The approved site (02/00863/FUL) included 285 permanent parking spaces, plus 4 coach spaces and 200 overflow parking spaces. The application does not propose providing any further parking provision. The site would utilise the existing access off Leicester Road. There is good visibility in both directions from this access point.
- 8.17. LCC as the Highway Authority requested information about how the proposed development would operate, and whether this would result in additional trip generation which could then have an impact on the suitability and safety of the existing access and parking. The agent stated that the two proposals of a new food unit and club shop would complement the existing services and match experience at the stadium. Customers for the food unit will already be within the stadium whilst the club shop proposed floor area will only allow for a certain number of customers at one time, which will be predominantly busier on match days. Neither are considered to have an adverse effect on the existing accesses. On this basis, the LHA have no objections to the proposal.
- 8.18. As such the occupation of the development scheme would not result in severe highway impacts and would be in 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).

10. Conclusion

10.1. The development scheme is considered to be an acceptable use within the green wedge, preserving the open character of the area. The extended and proposed buildings are considered to respect the design and appearance of the existing development and sufficient off-street parking is available. The proposal is therefore considered to comply with the relevant Development Plan policies and is considered to be sustainable development supported by the NPPF.

11. Recommendation

11.1. **Grant planning permission subject to the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans:-

- Location and Block Plan – Job No. 23/02, Drawing 08,
- Proposed Club Shop – Job No. 23/02, Drawing 07A
- Plans and Elevations – Job No. 23/02, Drawing 03B

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with policy DM10 of Site Allocations and Development Management Policies Development Plan Document.

3. The materials to be used on the external elevations of the proposed buildings and extension shall match the corresponding materials of the existing buildings and the details on the submitted application documentation and plans.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The development hereby permitted shall only be used in conjunction with or ancillary to the existing football ground.

Reason: For the avoidance of doubt and to ensure the proposed development is compatible with existing development and are not occupied as independent food or retail units which may have additional impacts to the local area in accordance with policies CS1 and CS6 of the Core Strategy (2009) and policies DM4, DM8, DM10, DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document.

Informatives:

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.
2. The suitability of the ground strata for soakaway drainage should be ascertained by means of the test described in BRE Digest 365, and the results approved by the Building Control Surveyor before development is commenced. The soakaway must be constructed either as a brick or concrete-lined perforated chamber with access for maintenance, or alternatively assembled from modular surface water storage/soakaway cell systems, incorporating silt traps. Design and construction of all types of soakaway will be subject to the approval of the Building Control Surveyor.
3. Any access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet.
4. All businesses have a duty of care to ensure that any waste produced is handled safely and within the law. All waste produced by a business including (but not limited to) paper, cardboard, cans, retail packaging, and food wrappers/waste, is commercial waste. For this reason, it legally has to be discarded in a certain way via a trade waste service or transfer station and cannot be disposed of through the residential service.
5. Storing waste: Business operators should take steps to avoid their waste causing problems with rats, mice, insects and birds:
 - Bins should be maintained and stored so that they don't cause problems to neighbouring premises due to smells
 - Waste should be stored correctly in a suitable container which needs to be closed or lidded

6. Waste collection

- Operators should arrange their own business/trade waste collection service. If you give your waste to someone else you must be sure that they are authorised to take it and can transport, recycle or dispose of it safely
- Waste should not be deposited in or on any land (fly-tipping) unless a permit from the environment agency has been granted
- Your waste contractor will provide you with a waste transfer note or agreement
- If you generate waste oil, you will need to appoint a specialist contractor to ensure it is collected and disposed of correctly to avoid contamination of surface water and land