

The Old Rectory, Market Bosworth

Planning, Design and Access Statement

July 2023

Planning Portal Ref. PP-12286663

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1.0 Introduction

1.1 Summary

1.1.1 This planning Statement has been prepared by the Applicant, Witherslack Group Limited, in support of a full planning application and listed building consent for the creation of a new special educational needs (SEN) school at The Old Rectory, Rectory Lane, Market Bosworth, Nuneaton, Leicestershire, CV13 0LS ('the Site').

1.1.2 The purpose of this statement is to identify the key planning opportunities and constraints raised by the development and assess the suitability and acceptability of the scheme based on the applicable policy framework at a national, regional, and local level. The structure and content of the statement is summarised below:

Section 1: Introduction

Section 2: The Application Site – sets the context of the current application site and the surrounding area, including any planning history considered relevant to the development proposals;

Section 3: The Proposal – describes in detail the proposed development;

Section 4: Planning Policy Context – summarises the planning policy relevant to this proposal at national, strategic and local levels;

Section 5: Planning Considerations – assesses the key planning considerations that are relevant to the proposed development, having regard to the policy framework and wider material considerations.; and

Section 6: Conclusion

1.2 The Applicant – Witherslack Group

1.2.1 The applicant 'Witherslack Group' are the UK's leading provider of specialist education and care for young people with a range of special needs including, communication difficulties (autistic spectrum conditions, Asperger's Syndrome, speech, language and communication needs) and other complex learning needs.

1.2.2 For over 30 years, Witherslack has built and operated independent specialist schools, children's homes, and vocational training centres across the UK. The Group currently operates 29no. schools, 24no. children's homes, 3no. vocational training centres and 7no. integrated learning centres – in total, this represents a provision of care and education to over 1,600 young people and employment to more than 2,000 members of staff.

1.2.3 Witherslack's objective is simple – to provide high quality, specialist education and care which is underpinned by generous staffing ratios. Achieving this objective, Witherslack enables vulnerable young people to maximise their potential; both in the early and later stages of life. Witherslack's 'team around the child' approach has led to the Group being recognised as the highest rated independent provider by the Office for Standards in Education, Children's Services and Skills (Ofsted).

1.3 Supporting Application Documents

1.3.1 This Planning, Design and Access Statement should be read in conjunction with the following additional documents, which accompany the application:

- Planning Application Forms – *prepared by Witherslack Group*
- Community Infrastructure Levy (CIL) – Additional Information – *prepared by Witherslack Group*
- Site Location Plan – *prepared by Space Architects*
- Drawings – *prepared by Space Architects*
 - Existing Site Layout Plan - 23.009(9-)003
 - Existing Ground Floor - 23.009(2-)001
 - Existing First Floor - 23.009(2-)002
 - Existing Elevation - 23.009(2-)010
 - Proposed Site Layout Plan - 23.009(9-)001.C
 - Proposed Ground Floor - 23.009(2-)006.B
 - Proposed First Floor - 23.009(2-)008.B
 - Proposed Elevation - 23.009(2-)011
 - Proposed External Buildings - 23.009(2-)009
- Transport Assessment – *prepared by The Transport Consultancy (TTC)*
- Planning, Design and Access Statement (*this Statement*) – *prepared by Witherslack Group*
- Heritage Assessment – *prepared by Heritage Archaeology*
- Arboricultural Impact Assessment (AIA) – *prepared by SEED*
- Preliminary Ecological Assessment (PEA) – *prepared by SEED*
- Biodiversity Net Gain Assessment (incl. Biodiversity Metric Calculation Tool) – *prepared by SEED Ecology*
- Noise Assessment – *prepared by Spratt and Harmer*
- Air Quality Assessment – *prepared by Millar Goodall*
- Ventilation Strategy – *prepared by CWC*

2.0 The Application Site

2.1 Site Description and Surrounding Area

- 2.1.1 The application site, measuring approximately 0.6ha, is located on the southern side of Rectory Lane and comprises the existing residential dwelling known as 'The Old Rectory'. The Old Rectory is set well into the site with a belt of mature trees and shrubs screening the property from the highway and those neighbouring residential properties to the west and east of the site. The front of the site is dominated by a large lawned area with a circular drive providing views of the house. The extensive grounds continue to the rear with a large central lawn, bordered to both sides by mature trees and shrubs.
- 2.1.2 The Old Rectory is a Grade II listed building, built in 1849 of red brick with stone dressings under a slate roof with stone coped gable ends. It has a double plan depth of two parallel ranges with a central entrance hall and service wing to the west. It is built in the Tudor style and is of two storeys.

2.2 Relevant Planning Policy Designations

- 2.2.1 Having regard for the Council's planning policy designation map, the site includes the following designations:
- Listed Building – Grade II Listed
 - Market Bosworth Conservation Area
 - Market Bosworth – 'Key Rural Centre'
 - Tree Protection Order (TPO) – 9 individual trees and 4 groups
 - Flood Zone 1 (low probability of flooding from rivers and the sea)
- 2.2.2 The site does not form part of any statutory ecological designations such as Sites of Special Scientific Interest, Special Protection Areas, Special Areas of Conservation, National or Local Nature Reserves, or Ramsar Sites.

2.1 Relevant Planning History

- 2.1.1 The Site has been subject to a number of applications over the years. Those relevant applications are outlined within the table below:

LPA Ref.	Descriptions	Decision & Date
22/01133/FUL	Proposed conversion of existing outbuilding and new extension to form new dwelling and associated works.	Approved (22/02/2023)
12/00531/TPO	Works to TPO	Approved (31/07/2012)
99/00146/LBC	Extension to dwelling including garaging	Approved (25/05/1999)
99/00120/FUL	Extension to dwelling including garaging	Approved (25/05/1999)

94/00524/LBC	Extension to dwelling.	Approved (31/10/1994)
94/00520/FUL	Extension to dwelling and formation of access	Approved (31/10/1994)
93/00062/4L	Demolition of outbuildings and extension to dwelling	Refused (24/03/1993)
93/00080/4L	Extension part demolished and alterations to listed building	Withdrawn
93/00063/4	Extension to dwelling and formation of access	Refused (24/03/1994)
88/00123/4	Conversion to retirement homes and flats	Refused (20/09/1988)

- 2.1.2 It is noted that a recent planning and listed building application (ref. 22/01133/FUL) was approved (22nd February 2023) on the adjoining site known as 'the Coach House' and falls within the statutorily listed curtilage of the application site. Accordingly, where relevant, details of the Council's assessment has been considered as part of this application.

3.0 The Proposal

3.1 Development Description

3.1.1 The proposal seeks the change of use of the existing dwelling to form a new SEN school in Market Bosworth alongside various internal and external alterations to accommodate the school's future operational needs. Two separate applications have been submitted as detailed below:

3.1.2 Full Planning Application Description:

“Change of use of ‘The Old Rectory’ from a single dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1); alongside the erection of two single storey external classrooms; a Multi-Use Gaming Area (MUGA); a revised parking layout; replacement boundary fencing; and external landscaping with associated works to trees.”

3.1.3 Listed Building Consent Application Description:

“Various internal and external alterations associated with a change of use of ‘The Old Rectory’ from a single dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1)”

3.1.4 It is clarified that no demolition works are proposed as part of this application – only minor internal alteration to existing walls and plan form to the existing Grade II listed building.

3.2 Summary of the Proposed Development

3.2.1 The proposal can be summarised as follows:

- Change of use of existing dwellinghouse (Class C3) to a Special Educational Needs (SEN) school (Class F1)
 - 6no. internal classrooms
 - Various supporting offices / staff facilities / toilets / quiet rooms
 - Medical Room
 - Kitchen and Dining Hall
 - Pastoral Rooms
 - Therapy Rooms
- External Teaching Block
 - a single storey teaching block to the rear of the site (2no. classrooms and a therapy room) clad in Cedar and an artificial slate roof

- External Therapy Pod
 - a single storey therapy pod to the rear of the site (2no. therapy rooms and office) clad in Cedar and an artificial slate roof
- Multi-use-games-area (MUGA) to the rear of the site
 - This will measure 10m x 15m and comprise super rebound MUGA fencing at an approximate height of 2.4m.
- External Car Parking
 - An amended car parking layout to the front of the site will allow for 40 spaces – this based on the specific operational requirements of Witherslack. Of those 40 spaces: 2no. of these spaces will be disabled bays; and 4 no. will be fitted with EV charging points.
 - All new parking areas will be constructed from suitable materials (such as Geocell webbing) to ensure the protection of the surrounding protected trees.
- External Perimeter Fencing
 - Fencing is proposed to securely separate the site from its neighbours. This will include the use of 2.4m high ‘358 anti-climb mesh’ fencing to the rear of the site only. No new fencing is proposed to the front of the site.
- Alterations to Existing Entrance Gate
 - The existing modern entrance gate will be slightly widened to allow for improved access – providing for a 6m clearance between pillars. No alterations will be required from the existing drop kerb and pavement.

3.2.2 Operationally, it is confirmed that the development will provide places for approximately 40 pupils aged between 5 to 11 years old. Working within the Witherslack model and based on existing school sites, it is estimated that 40 full-time equivalent staff (30 full-time, 20 part-time) will be employed across the site.

3.2.3 The school will operate on a traditional 38-week school term and be in use solely during the week, between 08:00 and 17:00, Monday to Friday. The main use of the site for pupils will be during typical school hours, between 08:30 – 15:00, with staff arriving earlier and departing later to complete pre-and-post-school tasks.

3.2.4 Please refer to the submitted drawings for further details.

4.0 Planning Policy

4.1.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications should be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

4.1.2 The Development Plan for Hinckley and Bosworth Council comprises the following documents. Those policies of relevance are also noted below:

- Core Strategy (2009)
 - Policy 7: Key Rural Centres
 - Policy 11: Key Rural Centres Stand Alone
- Site Allocations and Development Management Policies (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - 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
- Market Bosworth Neighbourhood Plan 2014-2016 (2015)
 - Policy CE1: Character and Environment
 - Policy CE4: Trees

4.1.3 Other material considerations include the following:

- The National Planning Policy Framework
- The Draft Local Plan (Regulation 19)

4.1.4 At a national level, planning policy and guidance is contained in the National Planning Policy Framework (NPPF). The updated NPPF (July 2021), sets out the Government's vision for future growth. The NPPF must be considered in the preparation of local and neighbourhood plans and is a material consideration in planning decisions.

- 4.1.5 In addition, the draft Hinckley and Bosworth Local Plan (Regulation 19) was agreed for consultation in March 2022 by the Council's Cabinet. In December 2022, the Council's cabinet further updated the Local Development Scheme. The updated Local Development Scheme timetable anticipates the submission of the new plan (Regulation 22) to the Secretary of State for examination in August 2024.
- 4.1.6 The Draft Local Plan is designed to replace the existing Core Strategy and Site Allocations and Development Management Policies. Once adopted, the new local plan will form part of the development plan for the Borough. Whilst not currently forming part of the adopted development plan, in accordance with NPPF, the draft Local Plan should be given some weight (albeit limited) based on its stage of preparation, having now completed at least two rounds of public consultation (the more advanced the preparation, the greater the weight that may be given).
- 4.1.7 Further material considerations include the following supplementary planning documents (SPDs):
- Market Bosworth Conservation Area Appraisal (2014)
 - National Design Guide (2019)
 - Good Design Guide (2020)
- 4.1.8 Those relevant planning policies and material considerations will be discussed in further detail in the Planning Consideration's chapter as part of this Statement.

5.0 Planning Considerations

5.1 The Principle of Development

5.1.1 This planning application seeks a change the use of the site from a single dwellinghouse (Class C3) to a primary school for children with special educational needs (SEN) (Class F1).

5.1.2 The proposal would provide for a further important education contribution in Market Bosworth which already benefits from numerous schools. This includes:

- St. Peters CofE Primary Academy (Station Road, Market Bosworth)
- The Market Bosworth School (Station Road, Market Bosworth)
- The Dixie Grammar School (Market Place, Market Bosworth)

5.1.3 This is highlighted by the Market Bosworth Neighbourhood Plan (2015) which states in its supporting text (Page 5) that:

“Market Bosworth has for centuries been a focus for commerce and services for the surrounding area and is identified in the Local Plan as a Key Rural Centre. We have the services and facilities to serve our own community as well as many of the smaller outlying villages. In addition the longstanding reputation for excellent schools attracts pupils (and parents) who travel in from a wide catchment area”.

5.1.4 The Government’s National Planning Policy Framework (NPPF) is clear that, when determining an application relating to the provision of new school places, great weight should be afforded to such development by local planning authorities. Paragraph 95 states:

“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

a) give great weight to the need to create, expand or alter schools through the preparation of plans and decisions on applications; and

b) work with school promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted”.

5.1.5 Paragraph 20 of the NPPF adds that:

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for: ...c) community facilities (such as health, education and cultural infrastructure);...”

5.1.6 Similarly, those local plan policies of the Council support the development of new schools which will support existing and future communities and help deliver choice in education.

5.1.7 Core Strategy Policy 7 (Key Rural Centres) and Policy 11 (Key Rural Centres Stand Alone) supports new development within the settlement of Key Rural Centres, such as Market Bosworth, to ensure key services can be provided to their rural hinterland. These designated centres are recognised as sustainable locations, being accessible to the wider public to provide opportunities for the community such as education and employment.

5.1.8 The most recent development plan document, Site Allocations and Development Management (2016) Policy DM25 (Community Facilities) also states that:

“The Borough Council will seek to support the formation of new community facilities across the borough. To reduce reliance on the private car, where new facilities are to be established it should be demonstrated that they are accessible to the community which they intend to serve by a range of sustainable transport modes”.

5.1.9 The supporting text to the policy sets out that educational facilities are included with in the supported community facilitates in the Borough stating that “...the Core Strategy supports this approach through Spatial Objective 3 which seeks to ensure rural communities have access to a range of shops, education, community and leisure facilities”.

5.1.10 The emerging draft Local Plan (Regulation 19) was consulted on by the Council in 2022. Whilst the plan has not been examined in public, it represents the most up-to-date policy documents drafted by the Council and is based on the most recent evidence base.

5.1.11 Emerging Draft Policy INF01 (Infrastructure and Delivery) identifies that new development across the Borough will need to be supported by additional or improved infrastructure, amenities and facilities. Policy INF01 outlines from within the most recent Infrastructure Capacity Study (2020) that Special Educational Needs Schools are recognised as being on the list of critical infrastructure (critical representing the highest level of need, followed by essential or desirable).

5.1.12 The proposed development would see the creation of approximately 40 school places for children with special educational needs. Within the Borough of Hinckley and Bosworth, it has already been documented by the Council of the severe shortage of appropriate SEN places for young children. The Council's own 'Infrastructure Capacity Study Phase Baseline Capacity Assessment' (May 2020) as prepared for the emerging Local Plan's states on Page 77 (and in the table below) that local SEN provision is nearing capacity, concluding:

“Although there remains some spare SEN capacity within Hinckley & Bosworth (primarily at the Dorothy Goodman School), it is apparent that most local SEN provision is constrained. The additional capacity currently being provided in Wigston will help to alleviate this situation, but LCC has indicated that some additional provision for SEN will need to be provided (planned for at a county-wide level) in response to growth across Leicestershire. There is understood to be no specific scheme developed at the current time, and there is therefore no way to know whether this will be provided within Hinckley & Bosworth”.

School name	School type	Pupil age	Capacity	Actual	%
Dorothy Goodman School, Hinckley	Local authority school	4-19	290	269	93%
Westfield Infant School, Hinckley	Local authority unit	4-7	18	18	100%
Westfield Junior School, Hinckley	Local authority unit	7-11	23	25	109%
Newbold Verdon Primary School	Local authority unit	4-11	24	24	100%
Meadow View Farm School, near Barwell	Independent school	4-11	36	36	100%
Sketchley School, Burbage	Independent school	8-19	65	60	92%
Dovetree School, Hinckley	Independent school	8-18	50	No data	
Clovelly House School, near Thornton	Independent school	10-18	10	No data	

Table 12 – Capacity of SEN provision across Hinckley & Bosworth (2017-18 academic year)

Table Extracted from the Council's 'Infrastructure Capacity Study Phase Baseline Capacity Assessment' (May 2020)

- 5.1.13 The proposal would therefore provide a significant contribution towards alleviating the current demand for SEN school places across wider County – as identified by the latest Infrastructure Study. Based on the above table and Council's own infrastructure capacity, the proposed provision of 40 school places would represent a near 10% uplift of those existing school places.
- 5.1.14 Further assessment of SEN demand has been considered by Witherslack from their existing schools, most notably the nearby school of Dovetree located in Hinckley (also referred to in the above table by the Infrastructure Study).
- 5.1.15 Following the opening of Dovetree School in November 2018, Witherslack Group have received a total of 777 referrals from surrounding local authorities. Of those identified referrals being appropriate (in terms of meeting the children's special educational needs) 239 young persons were offered a site visit. Again, following those visits by parents and pupils, 109 pupils were offered places and 67 placements have since commenced as a result.
- 5.1.16 Having consideration of the most recent academic year (2022/23), the school opened in September 2022 at capacity (48 places). Of particular relevance to this application – the development being solely for the provision of primary school pupils - approximately 30% of referrals in the 2021/22 academic year to Dovetree were from primary school aged children who can no longer be accommodated at Dovetree School due to reaching capacity (and with no ability to expand).
- 5.1.17 Evidently, it is concluded that there is a persisting local and regional demand for SEN provision at both primary and secondary levels. Creating new school places at the Old Rectory – in a sustainable and accessible location and within a designated Key Rural Centre – would therefore provide significant planning benefits.
- 5.1.18 Witherslack Group would be happy to have further discussions about the specific nature of their SEN provision and the referral statistics provided above during the course of the planning application process and those discussions held directly with Leicestershire County Council (requesting further spaces due to an acute shortage across the County) – please refer to Appendix 1.
- 5.1.19 Notwithstanding the above primary benefit of the proposal to deliver new SEN school places, the development proposal will also provide significant economic benefits to the town of Market Bosworth and wider communities. Due to Witherslack Groups requirement for high staff -to- pupil ratios, the proposed school will provide approximate 40 FTE (30 full-time, 10 part-time) jobs at the site. These opportunities will include a range of skilled professions, from specialist teaching as well as pastoral care, therapeutic care, maintenance, catering, cleaning, administrative and driving roles.

- 5.1.20 The proposal therefore provides significant new employment opportunities to Market Bosworth – a designated Key Rural Centre – and support the economic objectives of the NPPF and Core Strategy Policy 7 (Key Rural Centres) which seeks to ensure development provides key services to their rural hinterland and secures a range of employment opportunities.
- 5.1.21 Accordingly, the proposals would therefore support the aims and objectives of the development plan, specifically, this includes Core Strategy Policy 7 (Key Rural Centres), Policy 11 (Key Rural Centres Stand Alone) and Site Allocations and Development Management (2016) Policy DM25 (Community Facilities).

5.2 Design and Landscaping

- 5.2.1 Site Allocations and Development Management (2016) Policy DM10 (Development and Design) seeks among other things that development enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. In addition, Policy DM12 (Heritage Assets) requires the use of natural building materials where possible to preserve and enhance heritage assets.
- 5.2.2 Similarly, Neighbourhood Plan Policy CE1 (Character and Environment) seeks new development to be in keeping with the local areas with regards to scale, layout and materials to retain local distinctiveness and create a sense of place.
- 5.2.3 The works proposed are limited and relate largely to the following three elements: the existing building; the proposed external classrooms and therapy pods, the proposed MUGA and external landscaping and car parking. Notably, much of the front of the site, will remain unchanged fronting the conservation area. Those relevant works are summarised in further detail below:

The Old Rectory House

- 5.2.4 The majority of works to the house are internal and are considered separately within the submitted heritage statement. However, the existing garage doors to the modern 1990's extension will be replaced with a new window within the existing garage door opening and a new kitchen doorway will be formed to the side elevation of the 1990's extension complete with new stone lintel above to match the adjacent door and window openings. Please refer to the submitted elevation drawings.
- 5.2.5 All existing external windows and doors will be re-painted and repaired where necessary with like-for-like materials. The historic appearance and character of the Old Rectory will therefore be preserved and enhanced.

External Classroom and Therapy Pod

- 5.2.6 The appearance of the external classroom blocks are indicated on the proposed drawings. Both external buildings will be single storey with shallow pitched roofs. The front elevation will feature all windows and doors – specifically no windows and doors will be located to the rear of the site (with the adjoining neighbours) to protect existing residential amenity. The external buildings will be clad in natural Cedar timber panels which will provide a durable and natural material – this being sensitive to the heritage setting of the Old Rectory.

MUGA

- 5.2.7 The proposed MUGA will be positioned to the rear of the site and will not be visible. The MUGA has been carefully positioned so it is the furthest location from existing residential amenity. The MUGA will be enclosed with 2.4m high fencing and finished in green (RAL 6005).

Car Parking and Landscaping

- 5.2.8 The proposed front part of the site will include a number of improvements to the existing car parking and vehicle access arrangements.
- 5.2.9 The new car parking will be carefully integrated within the existing trees and shrub – thereby preserving the existing green screening from the road and wider conservation area. The proposed parking surface will be fully permeable and include the provision of new geo-cell web (to be approved by the Arboriculturalist) to ensure the protection of the trees and safe, secure parking for future staff attending the site. As part of a suitable mitigation and biodiversity net gains, various new trees and planting will be agreed with the Council as part of a final landscaping strategy.
- 5.2.10 Accordingly, the proposals would therefore support the aims and objectives of the development plan, specifically, this includes Site Allocations and Development Management (2016) Policy DM10 (Development and Design), Policy DM12 (Heritage), and Neighbourhood Plan Policy CE1 (Character and Environment)

5.3 Heritage

- 5.3.1 This application has been supported by the submission of the following documents, as prepared by heritage consultants, Heritage Archaeology:

- Heritage Statement

- 5.3.2 Neighbourhood Plan Policy CE1 (Character and Environment) which states:

“All new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place. Where new development would be visible from an adjacent Character Area it should be sensitive to the principal characteristics of that area”.

- 5.3.3 Site Allocations and Development Management (2016) Policy DM11 (Protecting and Enhancing the Historic Environment and Policy) and Policy DM12 (Heritage Assets) will seek to protect, conserve and enhance the historic environment throughout the borough. This will be done through the careful management of development that might adversely impact both designated and non-designated heritage assets.
- 5.3.4 The application site includes the Grade II listed building known as ‘The Old Rectory’ and is also located within the surrounding Market Bosworth Conservation Area. It is concluded by the heritage consultants that the existing building has undergone substantial internal works following its refurbishment in 1999 by the existing owners. Those internal works included the provision of a new extension to the west of the building to provide for a new swimming pool. Most of the internal decorations are modern with very few original features remaining. All works were approved by the Council in 1999 under planning and listed building consent ref. 99/00146/LBC and 99/00120/FUL.
- 5.3.5 The proposals seek a simple internal refurbishment of the existing building (including the new swimming pool extension) alongside the creation of two new external buildings and MUGA to the rear garden. Further hard landscaping works are included to the front of the building to accommodate new car parking provision.
- 5.3.6 In conclusion, the Heritage Assessment states:

“The proposed changes are necessary to convert the house from a private residence to a school for students with special educational needs. The works will conserve the historic building. The proposals will introduce minor alterations to the (already altered) internal layout and have a negligible impact on historic fabric. The overall character and appearance of the building, and its contribution to the heritage values of Market Bosworth Conservation Area, would be preserved”

In summary, an effect of minor significance is predicted. This effect is equivalent to less than substantial harm being at the lowest end of that scale of effects. This should be considered, in line with paragraph 202 of the NPPF, against the public benefits of the proposal...The proposals preserve the special architectural and historic interest of the building as far as it currently survives after a number of previous significant modifications during the later 20th century.

The proposals demonstrate an appreciation and understanding of the heritage values of the listed building, through minimising impacts to historic fabric and proposing materials that are consistent with the building’s character and appearance. The small scale of the proposed changes externally does not compete with the historic scale or form of the building. The negligible loss of historic fabric could be mitigated by making a record of the building prior to any changes”.

- 5.3.7 As noted by the Heritage Consultant, if deemed necessary, suitable conditions seeking a historic record of the building can be agreed prior to works commencing.
- 5.3.8 Accordingly, the proposals would therefore support the aims and objectives of the development plan, specifically, this includes Site Allocations and Development Management (2016) Policy DM11 (Protecting and Enhancing the Historic Environment and Policy), Policy DM12 (Heritage), and Neighbourhood Plan Policy Policy CE1 (Character and Environment). The proposals, as demonstrated by the submitted heritage report would also support the aims and objectives of the NPPF, specifically Paragraph 202.

5.4 Transport

- 5.4.1 This application has been supported by the submission of the following documents, as prepared by transport consultants, The Transport Consultancy (TCC):
- Transport Assessment
- 5.4.2 Local Plan Policy DM17 (Highways and Transportation) seeks among other things to make the best use of existing public transport services; to ensure there is not a significant adverse impact upon highway safety and that development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised
- 5.4.3 The proposed development seeks the simple change of use from an existing dwellinghouse to a school. The site is well located within a designated ‘Key Rural Centre’ (Market Bosworth) with good access to public transport and local amenities to afford active modes of travel such as cycling and walking.
- 5.4.4 The proposed development would not include any alterations to the existing access onto the site – however, the existing gate would be widened to permit two-way passing ingress/egress. The proposal would allow for a number of alterations to the existing car parking layout to form new hard standing, increasing car parking capacity on site to approximately 40no. car parking spaces. Of these, 2no. would be for disabled users and 4no. would be provided EV

charging points. A further 4no. cycle spaces are provided on site with detailed to be confirmed as part of a wider landscaping plan.

5.4.5 In the absence of any parking standards set by the Local Authority, the proposed number of car parking is recognised as sufficient and comparative to those existing Witherslack sites across the UK.

5.4.6 Refuse collection will be undertaken as existing from the front of the site (Rectory Lane) with bins wheeled to the pavement side on the day of collection only. All bins will be stored in a designated refuse store to the side of the building (adjoining the kitchens). All future deliveries are anticipated to take place from within the site with the use of typical transit vans.

5.4.7 In conclusion, the transport assessment states that:

“The effect of additional traffic generated by development proposals will not result in conditions prejudicial to the safe operation of the local highway network.

Given the setback of the existing gates and proposed widening of the access, arriving vehicles will have adequate space to pull off Rectory Lane and permit existing westbound movements to travel on Rectory Lane unimpeded. Furthermore, the width of Rectory Lane supports the sufficient space for the passage of vehicles to route past parked vehicles or vehicles waiting to enter the site.

With regards to impacts on highways, Paragraph 111 of the National Planning Policy Framework (NPPF), July 2021, states: ‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.’

It is considered that the development proposals will be immaterial and will not have a ‘severe’ or detrimental impact upon the existing highway infrastructure.

5.4.8 Accordingly, the proposals would therefore support the aims and objectives of the development plan, specifically, this includes Site Allocations and Development Management (2016) Policy DM17 (Highways and Transportation).

5.5 Trees

5.5.1 This application has been supported by the submission of the following documents, as prepared by tree consultants SEED Arboriculture:

- Tree Survey
- Arboricultural Impact Assessment (AIA)

5.5.2 It is noted that the majority of trees on site are subject to a TPO. Following initial discussions with the design team and arboricultural consultant, the Applicant has sought to minimise any impacts to trees on site and considered them throughout the scheme’s formation. The submitted report concludes:

- A total of 22no. trees are proposed to be removed (of these, 95% of those trees are designated either ‘U’ or ‘C’ category). Only 1no. tree (T40) is a categorised ‘B’ Tree.

- None of the trees proposed for removal are considered aged or veteran and therefore the principles for refusal within the NPPF would not be considered applicable.
- Suitable mitigation measures have been proposed to limit future damage as a result of the development and further mitigation is proposed through the planting of new trees, as to be agreed with the Council as part of a final landscaping plan. Any requirement for suitable tree protection will be secured by condition.

5.5.3 The proposals would support Neighbourhood Plan Policy CE4 (Trees) which seeks to mitigate the loss of any trees through a suitable tree replacement scheme as part of an agreed landscape strategy.

5.5.4 Accordingly, the proposals would therefore support the relevant policies of the local plan and national policy.

5.6 Ecology

5.6.1 This application has been supported by the submission of the following documents, as prepared by ecology consultants SEED Arboriculture:

- Preliminary Ecological Appraisal (PEA)
- Biodiversity Net Gain Assessment (BNGA)
- Biodiversity Metric Calculation Tool

5.6.2 Local Plan Policy DM6 (Enhancement of Biodiversity and Geological Interest) requires that applications demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management.

5.6.3 The submitted PEA provides a detailed assessment of the application site and concludes that

“...the proposals are not anticipated to have a significant negative impact on any ecological features or receptors within the local area if the above detailed mitigation is followed, and further surveys are carried out to determine bat mitigation”.

5.6.4 The PEA has identified the potential for Nocturnal Bat Surveys to be completed which are to be undertaken shortly. The results of the survey will be provided to the local authority for further consideration and, if necessary, the inclusion of suitably worded conditions or relevant mitigation measures can be agreed with the Council.

5.6.5 Having regards to BNG, the development proposal would be removing some forms of existing vegetation and include the introduction of new hard landscaping. The report concludes that:

“...the report and DEFRA 4.0 Metric submitted have demonstrated that the proposed habitat creation and enhancements will achieve a net gain of biodiversity of habitat units of 10.4% and a net gain of hedgerow units 10.73%... It is recommended that a production of a Biodiversity Enhancement Management Plan (BEMP) is conditioned as part of the planning application. The BEMP will need to set out the actions required to achieve and maintain the biodiversity value of the site for a period of 30 years”.

5.6.6 Exact details of the recommended enhancements and mitigation measures proposed by SEED Ecology can be secured by condition.

5.6.7 Accordingly, the proposals would therefore support the relevant policies of the local plan and national policy.

5.7 Noise

5.7.1 This application has been supported by the submission of the following documents, as prepared by consultants Spratt and Harmer:

- Noise Impact Assessment

5.7.2 The assessment has been completed to demonstrate that the acceptability of the proposed residential amenity surrounding the site, having regards to future noise generated by future vehicles and children's play space. Externally, classrooms and hard surfaced play areas have been located to the south of the Old Rectory and away from the boundary with those residents adjoining from Cedar Drive.

5.7.3 2no. monitoring stations were placed to the front and rear of the site to gather appropriate existing noise levels with which to base the assessment upon.

5.7.4 In conclusion, the Noise Impact Assessment demonstrates that, in accordance with World Health Organisation guidelines, the proposed car park and external play areas will not represent an impact to the existing residential amenity adjoining the site.

5.7.5 Accordingly, the proposals would therefore support the relevant policies of the local plan and national policy.

5.8 Air Quality

5.8.1 This application has been supported by the submission of the following documents, as prepared by consultants Millar Goodall:

- Air Quality Assessment (AQA)

5.8.2 The submitted AQA provides a detailed assessment of the potential changes in air quality as a result of the proposed development, having regards to both construction and operation. As detailed within this application and the report, the development proposal includes principally the change of use of the existing building (with mainly internal alterations only), the erection of two minor buildings to the rear and a new MUGA with some additional areas of hard standing. No demolition works are proposed.

5.8.3 As a result, the report concludes that:

"Concentrations of NO₂ and PM₁₀ are likely to be below their respective long and short-term objectives at the proposed development site which is therefore considered suitable for residential/ commercial use with regards to air quality. Concentrations of PM_{2.5} are expected to be below the annual mean target... The proposed development is not expected to have a significant impact on local air quality".

"There is, therefore, no reason for this application to be refused on the grounds of air quality".

5.8.4 Accordingly, the proposals would therefore support the relevant policies of the local plan and national policy.

5.9 Ventilation

5.9.1 This application has been supported by the submission of the following documents, as prepared by consultants Crookes Walker:

- Ventilation Strategy

5.9.2 The submitted Ventilation Strategy demonstrates that the proposed kitchen extract will not cause undue harm or impacts to those adjoining residential properties. The report concludes that all teaching areas will make use of natural ventilation via opening windows. The proposed kitchen will comply with the DW 172 guidance and appropriate DEFRA methodology.

6.0 Conclusion

6.1.1 This Planning Statement has been prepared to support a planning application submitted at The Old Rectory, Rectory Lane, Market Bosworth, CV13 0LS. The proposed development seeks a change of use of the existing dwellinghouse to deliver a new independent SEN School. In summary, the Development will comprise of the follow:

- Re-use of existing and vacant Old Rectory House to provide for new SEN School, providing approximately 40 children spaces and 40 FTE employment opportunities;
- A number of small interventions to the listed building, the Old Rectory, to allow for the future safe operation of the site. All internal works have been carefully considered in light of those existing modern interventions to and will not include any external works the building;
- New external single storey classroom space and therapy pods to the rear of the site (which will not be visible) for provide for ancillary school spaces;
- A new external play space for children to the rear of the site, alongside a new purpose built MUGA;
- An improved entrance and car parking provision for approximately 40 vehicles on site;
- Various works to trees and hard landscaping improvements to accommodate the proposed new SEN School;
- New boundary fencing to the rear of the application site to provide for safe and secure external play space for the children.

6.1.2 The proposed development represents an opportunity to redevelop the existing vacant site to provide for a new SEN School which would serve the local community and meet current demand (as demonstrated by Leicestershire County Council – Appendix 1). A number of comprehensive technical assessments have been undertaken to shape the proposals and ensure compliance with development plan policies. These demonstrate that in respect of use, design, landscape, heritage, ecology, trees, noise and air quality, the proposals will not result in any significant or unacceptable impacts.

6.1.3 Given the above, it is considered that the proposals are consistent with the development plan and as such benefit from the presumption in favour of sustainable development as defined in paragraph 11 of the NPPF. As such, it is formally requested that planning permission be granted, subject to the appropriate conditions.

Appendix 1:

Correspondence from Leicester County Council

Please ask for: Pauline Killoran
E-mail: [REDACTED]
Tel: [REDACTED]
[REDACTED]
Your Ref: [REDACTED]
Date: 7 December 2022



Dear Proprietor / Head Teacher / Principal

SEND Pupil Places

As you may be aware, Leicester City Council are making significant investments to increase the number of places available to children and young people with special educational needs who require a specialised setting or place. As part of this investment, we have increased the number of places at several special schools and mainstream schools via the increase in designated specialist provisions (DSP).

These new and additional provisions, when completed, will provide over 300 additional places, however we need to continue with this increase at a more rapid pace over the next 12 months for this academic year September 2022 to July 2023 and beyond.

The reason for the increase in places is due to the growing number of children that are being maintained in mainstream schools, whilst their Education, Health and Care Plan states they are awaiting a DSP or Special School place. It is these children that we need to accommodate and find the right placement as soon as is possible.

We are asking all schools to urgently consider increasing their pupil numbers and working with us to offer as many additional places as possible.

If you are interested in increasing your pupil numbers and would like a conversation to discuss the possible options your school could offer commissioning block placements, please get in contact with me.

Thank you.

Yours sincerely

[REDACTED]

Pauline Killoran
Head of Service SEND Integrated Services 0-25 years