

Delegated Report

Planning Ref: 25/00822/FUL

Applicant: Rev Stephen Hoggar

Ward: Ambien



Hinckley & Bosworth
Borough Council

Site: Stoke Golding Methodist Church Main Street Stoke Golding

Proposal: Installation of externally mounted air conditioning and heat pump equipment

Case Officer(s): Zahra Jam-Rotbeh (Planning Officer)

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 is for the installation of externally mounted air conditioning and heat pump equipment at Stoke Golding Methodist Church Main Street Stoke Golding.
- 2.2. As part of this application, a 2-metre-high fence is proposed. This would fall under permitted development rights.

3. Description of the site and surrounding area

- 3.1. Stoke Golding Methodist Church was first established on the site in Main Street at the start of the 20th century and was subsequently extended forward with a gable fronted building in 1933 which still stands on site today. The building is of a local level of historic and architectural significance. It is identified as being an important local building within the Stoke Golding Conservation Area Appraisal (2013) and it contributes positively to the character and appearance and heritage significance of the Stoke Golding Conservation Area.
- 3.2. There are similarly styled detached two storey dwellings to the south, a chapel, two storey cottage and two storey modern dwelling to the east.

4. Relevant planning history

97/00729/FUL

- EXTENSION TO PROVIDE WC AND STORAGE BLOCK
- PER
- 10.10.1997

5. Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site and letters sent out to neighbours. The application was also advertised in the Hinckley Times.
- 5.2. One objection has been received, raising concerns about potential noise disturbance following the commencement of the proposal, as well as the adverse impact of the proposed equipment on the design of the church.

6. Consultation

- 6.1. LCC Ecology: No objections.
- 6.2. HBBC Conservation: No objections. Substantive response, included within the impact upon the character of the conservation area section of this report.
- 6.3. HBBC Pollution: No objections, one recommendation included at the end of this report.

7. Policy

- 7.1 Stoke Golding Neighbourhood Plan Review: Made Version (May 2024)
 - Policy SG14: Non-designated Heritage Assets
 - Policy SG15: Design
- 7.2. Core Strategy (2009)
 - No relevant policies
- 7.3. Site Allocations and Development Management Policies (SADMP) DPD (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 DM18: Vehicle Parking Standards
 - Policy DM25: Community Facilities
- 7.4. National Planning Policies and Guidance
 - Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2024)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - Stoke Golding Conservation Area (SGCA) Appraisal and Map (2013)
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Local Highway Authority Design Guide

8. Appraisal

- 8.1. The key issues in respect of this application are therefore:
 - Principle of development
 - Design and impact upon the character of the church, Stoke Golding Conservation Area and adjacent Scheduled Monument
 - Impact upon neighbouring residential amenity

Principle of Development

- 8.2. Paragraph 2 of the National Planning Policy Framework (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), the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016), National Planning Policy Framework (NPPF) and the Stoke Golding Neighbourhood Plan.
- 8.4. The proposal relates to minor additions to a designated Community Facility. Policy DM25 is relevant, but there is no conflict owing to the minor nature of the proposals and lack of changes to the operation/size of the facility.
- 8.5. Paragraph 98 of NPPF also states that to provide the social, recreational and cultural facilities and services the community needs, planning decisions should plan positively for community facilities (such as cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.

Design and impact upon the character of the church, Stoke Golding Conservation Area and adjacent Scheduled Monument

- 8.6. 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.
- 8.7. 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.
- 8.8. 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.
- 8.9. 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.
- 8.10. Policy SG14 of the 'made' SGNP requires that planning applications assess and have regard to the scale of any harm or loss of the significance of any locally valued heritage assets. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment including conservation areas and national and locally important heritage assets and should ensure the significance of a conservation area is preserved and enhanced. In addition, developments that adversely affect a scheduled monument or its setting would be wholly exceptional and accompanied by clear and convincing justification.
- 8.11. Policy SG15 of the 'made' SGNP requires development which would affect non-designated heritage assets (as listed below and shown on Maps 10 and 11 and the Policies Maps) will be assessed having regard to the scale of any harm or loss and

the significance of the heritage asset. New development should take opportunities to enhance heritage assets or better reveal their significance.

- 8.12. According to HBBC Conservation comment *“It is proposed to locate an air conditioning unit and heat pump unit at ground floor level upon the north-western (side) elevation of the building. The pump equipment would be a minimal visual presence upon the building and wider area, and although proposed for security purposes a c.2m high timber fence (within the provisions of permitted development) is also proposed from the north-western corner of the building to the side boundary, which would fully screen the pump equipment in visual terms from the front elevation of the building and the wider area. For these reasons it is considered that the proposal would have a neutral impact upon the character and appearance of the conservation area and thus it would preserve its heritage significance.”* the proposals are therefore considered to be in accordance with Policies SG14 and SG15 of the ‘made’ SGNP, Policies DM10, DM11 and DM12 of the adopted SADMP, the Council’s adopted Good Design Guide, Section 16 of the NPPF (2021) and the statutory duty of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. To ensure the character of the area is preserved, a condition is recommended requiring the proposed fence to be installed prior to the installation of the air conditioning equipment.
- 8.13. The proposal does not provide the opportunity for any particular enhancement to the character and appearance of the building and the wider conservation area; however, the proposed air conditioning and equipment are considered to have neutral impact on the character and appearance of Main Street and the wider Stoke Golden Conservation Area, thus preserving its significance. Subsequently the proposal complies with Policies DM10, DM11 and DM12 the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 and Stoke Golden Neighbourhood Plan.

Impact upon neighbouring residential amenity

- 8.14. 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. The policy also states that the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.15. The proposed air conditioning equipment would be positioned to the side of the application site, facing the neighbouring property at No. 11 Main Street. However, due to the presence of existing hedges, it would be partially screened and, therefore, is not expected to cause any adverse impact on neighbouring properties or their amenities in terms of overdominance/loss of light etc
- 8.16. The proposal may result in some noise disturbance, as noted in the neighbours’ objections. However, in line with the comments from HBBC Pollution, a condition has been recommended to minimise potential noise impacts on adjacent neighbouring properties through the imposition of the suitably designed fenceline. No concerns have been raised regarding noise impacts from the HBBC pollution team subject to the imposition of this condition and therefore the additional noise impacts are not considered to be so significant to cause amenity harm.
- 8.17. As such it is considered that the proposal would not cause significant adverse impact to the residential amenity of neighbouring residents. The proposal is therefore in accordance with Policy DM10 of the SADMP.

8. 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. It is considered that the proposal is compatible with the character of the area and it would preserve the significance of the Stoke Golden Conservation Area. The proposal therefore complies with Policies DM10, DM11, DM12, DM17 and DM18 of the SADMP, section 8 and 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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:

- Proposed Site Plan, Drg No. 002
- Side Elevation, Part Floor Plan, Drg No. 003
- Proposed Front Elevation and Part Floor Plan, Drg No. 005

Received by local planning authority on 1 September 2025.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Prior to the installation of the equipment, the proposed fence shall be erected as shown on the Proposed Front Elevation (Drawing No. 005). The fence shall be close boarded, with no gaps with a density of 10 kg/mm. Once installed it shall be retained and maintained in accordance with the approved details in perpetuity.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD (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.