

**Planning Committee 7 November 2017  
Report of the Planning Manager Development Management**

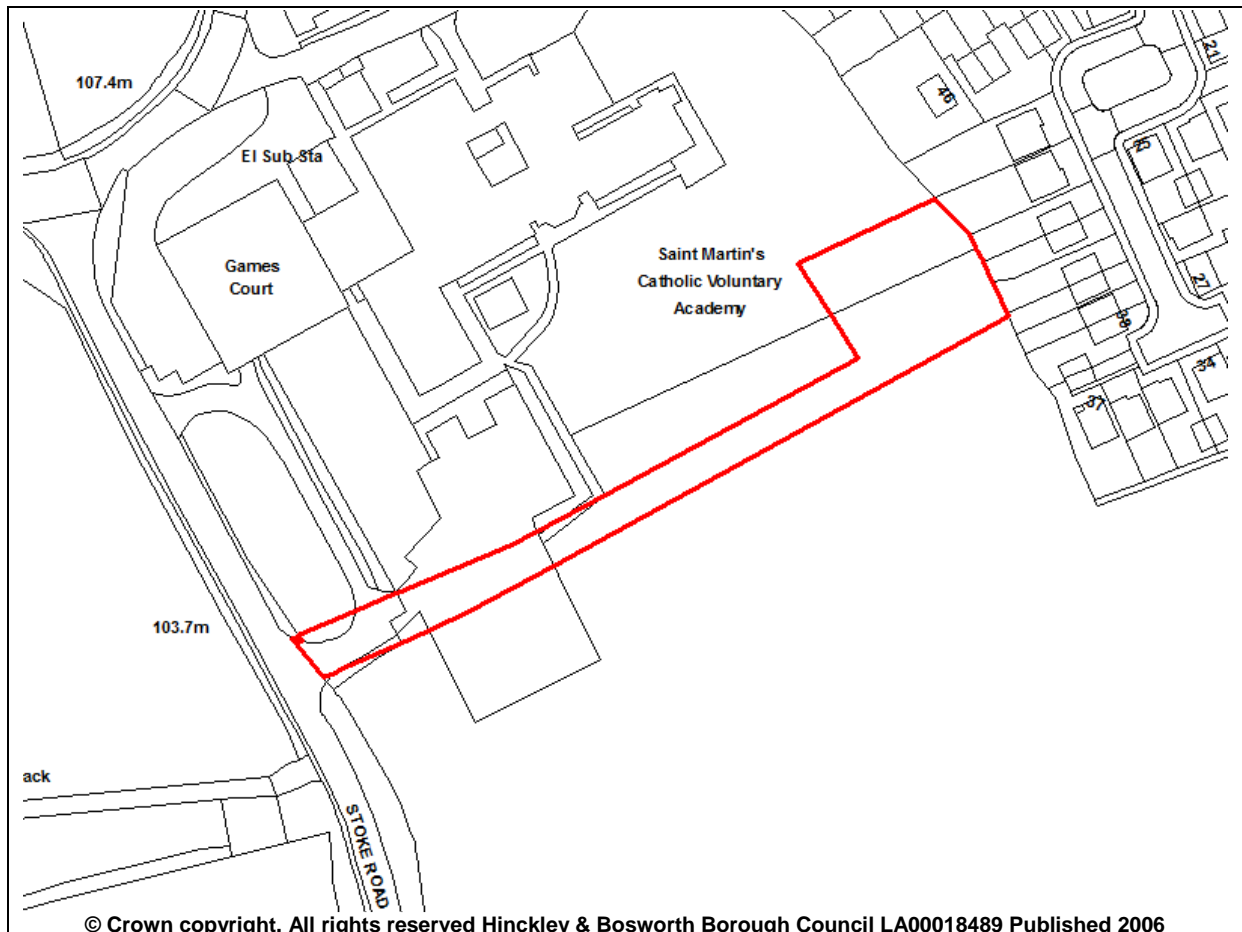


Hinckley & Bosworth  
Borough Council

**Planning Ref:** 17/00813/FUL  
**Applicant:** Lindsey Lester  
**Ward:** Ambien

**Site:** St Martins Catholic Voluntary Academy Convent Drive Stoke Golding

**Proposal:** Erection of single storey building to provide four classrooms



**1. Recommendations**

**1.1. Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Planning Manager Development Management be given powers to determine the final detail of planning conditions on the basis set out at the end of the report.

**2. Planning Application Description**

2.1. This application seeks full planning permission for the erection of a new modular classroom block to deliver four additional classrooms at St Martins Catholic Voluntary Academy, Convent Drive, Stoke Golding.

2.2. The proposed building is to be located between approximately 45 and 55 metres to the south of the main school building on what is currently a grassed area. The proposal is required as a result of the increase of the age range and number of pupils in September 2014 and September 2015.

2.3. The proposed building would be of single storey height and constructed of a mix of white render and feather edged timber boarding.

### **3. Description of the Site and Surrounding Area**

3.1. The site lies in the countryside on the eastern edge of Stoke Golding but is an established community facility. The main school building comprises a mix of two storey and single storey elements and is located towards the north of the site with playing fields to the south. To the east of the site lies a new residential development with countryside to the west.

3.2. The proposed classroom would be located within the existing grounds of the school and within the designated boundary of the community facility, however it is sited within the countryside as designated within the SADMP.

3.3. There is an extensive parking and turning area to the west of the site adjacent Stoke Road from which access to the site is provided. Ground levels fall gradually from north to south.

### **4. Relevant Planning History**

94/00554/TEMP	Siting of portable classroom	Permission	25.08.1994
99/01024/TEMP	Retention of mobile classroom	Permission	07.01.2000
03/01221/FUL	Extension to saint martins roman catholic school	Permission	08.12.2003
08/00772/FUL	Replacement windows and formation of fire escape	Permission	16.09.2008
10/00820/FUL	Extension and alterations to school	Permission	21.12.2010
11/00423/FUL	Erection of mobile classroom	Permission	20.07.2011
14/00222/FUL	Erection of new teaching block	Permission	28.05.2014
14/00632/FUL	Erection of three mobile classrooms.	Permission	15.08.2014
14/00655/FUL	Erection of boundary fence	Permission	05.09.2014

15/00029/FUL	Extension to existing car parking facilities	Permission	26.02.2015
16/00660/FUL	Erection of no. 4 classroom block	Permission	07.09.2016

## 5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. One letter of representation has been received raising the following concerns:
- 1) Cumulative impacts upon neighbouring residential amenity
  - 2) Cumulative impact upon parking and highway safety
  - 3) Waste storage and collection area creating congestion along Convent Drive

## 6. Consultation

- 6.1. Stoke Golding Parish Council object on the basis that the proposal would impact upon highway safety and put further pressure on Stoke Road during school drop off and pick up times.
- 6.2. No objections have been received from:-

HBBC Environmental Health  
HBBC Tree Officer  
HBBC Drainage  
LCC Highways

## 7. Policy

- 7.1. Core Strategy (2009)
- Policy 11: Key Rural Centres Stand Alone
- 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 DM8: Safeguarding Open Space, Sport and Recreational Facilities
  - Policy DM10: Development and Design
  - Policy DM17: Highways and Transportation
  - Policy DM18: Vehicle Parking Standards
  - Policy DM25: Community Facilities
- 7.3. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2012)
  - Planning Practice Guidance (PPG)

## 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

- Planning balance
- Other issues

Assessment against strategic planning policies

- 8.2. Paragraphs 11-13 of the National Planning Policy Framework (NPPF) state that the development plan is the starting point for decision making and that it is a material consideration in determining applications. The development plan in this instance consists of the Site Allocations and Development Management Policies (SADMP) DPD and the Core Strategy (2009).
- 8.3. The application site is located part within and part without the settlement boundary of Stoke Golding with the site of the proposed building located outside. Policy DM4 of the SADMP states *“that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development. Development in the countryside will be considered sustainable where:*
- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or*
  - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or*
  - c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or*
  - d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or*
  - e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation”.*
- 8.4. The proposal would be located within the countryside and would not fulfil any of the criteria to be considered sustainable development in the countryside in accordance with Policy DM4 SADMP.
- 8.5. The site is an established Education/Community facility as defined in the SADMP. Policy DM25 of the SADMP identifies the site as being for educational or community use where the enhancement of such facilities is generally acceptable in principle, especially where service deprivation has been identified as a significant concern. The proposed classroom would be sited within the designated community facility boundary as defined in the SADMP.
- 8.6. The school has previously increased its age range in September 2014 and 2015 to a full secondary school status which accommodates 140 pupils per year group. The increase in pupil numbers results in the requirement of new classrooms to deal with the increase in age range. The new classrooms proposed as part of this application are to ensure more proactive and practical teaching, with less students per classroom. Therefore the proposed additional classrooms are justifiable.
- 8.7. The proposal is located within a long established education facility and is required to provide additional classroom accommodation for the expansion of the school in terms of age range and pupil numbers. The siting of the proposed buildings does

not encroach upon any of the existing playing fields and therefore will not result in any loss of such facilities.

- 8.8. The proposal would be located within the countryside, and would be contrary to Policy DM4 SADMP. However, the proposal is considered to accord with Policy DM25 of the SADMP.

Design and impact upon the character of the area

- 8.9. Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. This is essentially also reflected in the provisions of Policy DM4 of the adopted SADMP. It is considered that the development proposed by this application would meet the aims and requirements of the above for the reasons given below.
- 8.10. The proposed building would be grouped together with the existing mobile classroom blocks and between the existing mature landscaping to the south of the main school building and the existing formal playing fields and is therefore considered to be functionally well related to the existing building and acceptable in terms of its siting. The proposed building would be designed as a single storey building with a combination of white render and feather edged timber boarding and with a low pitched single ply membrane roof. The proposal would match the existing mobile classroom block located immediately adjacent to the proposed classroom. The proposed building would be screened from Stoke Road by the existing classrooms and a line of existing well maintained 3.5 metres high Beech hedgerow. It would also be situated approximately 8 metres from the new residential estate to the east, however there is an existing well maintained tree line located to the north west of the proposed classroom, which will be retained.
- 8.11. There are a number of important trees on the site but the siting of the classroom has been carefully considered and would be located away from the root protection areas of the nearest trees. A number of trees are to be removed to make way for the proposed classroom, however a tree survey and arboricultural impact assessment report has been submitted along with the application. The trees are very newly planted, small in scale and do not contribute to the character of the area. All mature and high quality trees, which have been identified in the tree survey, are to be retained under the proposed layout and no impacts or pruning would be required.
- 8.12. The delivery of the prefabricated classroom would be made from Stoke Road and would be lifted by a lorry mounted crane, in sections, to the site. There is sufficient space around the proposed delivery route and installation site and so any impacts to trees are remote. Given the proposed siting of the classroom and location of existing trees, the proposal would have no impact or result in any loss of identified trees. As a result of the light weight construction and simple installation process, tree protection measure such as fencing and ground protection would not be necessary.
- 8.13. The proposed scale and good quality design of the proposed classroom would complement the scale of the existing buildings and the site and would not have any adverse impacts on the character or appearance of the surrounding countryside.
- 8.14. Given the above context, the scheme is considered to be in accordance with Policy DM10 of the SADMP.

#### Impact upon neighbouring residential amenity

- 8.15. Policy DM10 of the adopted SADMP states that proposals should not adversely affect the occupiers of the neighbouring properties.
- 8.16. The nearest residential properties are located approximately 8 metres to the east and are screened from the proposed development by a line of mature trees and hedgerow along the school grounds boundary. Further to the distance from the boundary of the site, the proposal would be of single storey nature, measuring only approximately 3.4 metres in height.
- 8.17. The proposal is therefore considered to comply with Policy DM10 of the adopted SADMP.

#### Impact upon highway safety

- 8.18. Policy DM17 and Policy DM18 of the Site Allocations and Development Management Policies DPD applies highway design and parking standards. Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.19. There is an existing access to the school from Hinckley Road with an extensive number of parking spaces available to staff and visitors. The delivery of the classroom would also be through the same access and due to the visibility and scale of development would not impact upon highway safety.
- 8.20. Given that the proposal is to accommodate existing pupils and staff it is unlikely that the proposal would result in additional vehicular movements to/from the school. Therefore it cannot be demonstrated that residual cumulative impacts of the development would be severe.
- 8.21. Concerns have arisen regarding an existing problem of vehicles parking along Convent Drive with pedestrian access to the school also being from Convent Drive. This application would however have no further impact on the existing situation on Convent Drive. Leicestershire County Council Highways have no comments to make on the proposal it cannot be demonstrated that residual cumulative impacts of the development would be severe.
- 8.22. The proposal is therefore in accordance with Policy DM17 and DM18 of the SADMP.

#### Planning Balance

- 8.23. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that developments must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Policy DM1 – Presumption in Favour of Sustainable Development of the Site Allocations and Development Management Policies DPD (SADMP) states that planning applications that accord with the policies in the Local Plan will be approved without delay, unless material considerations indicate otherwise.
- 8.24. The NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF states that it does not change the statutory status of the development plan as the starting point for decision making. Proposed development that accords

with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

- 8.25. The proposed location of the classroom is located within the countryside, as designated by the SADMP.
- 8.26. Paragraph 7 of the NPPF identifies that there are three dimensions to sustainable development: economic, social and environmental. These roles are mutually dependant and therefore to achieve sustainable development they should be considered together. The assessment of the three dimensions relative to this proposal is as follows:
- 8.27. Economic – It is considered that the proposed scheme, given there is no increase of pupils or staff numbers, would have limited positive economical benefits of the scheme and no adverse economic impacts.
- 8.28. Social – Paragraphs 17 and 70 of the NPPF both support the delivery of sufficient community facilities and services to meet local needs. Paragraph 72 states that the Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of the community. It further states that local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and should give great weight to the need to expand or alter schools. The school has previously increased its age range in September 2014 and 2015 to a full secondary school status which accommodates 140 pupils per year group. The increase in pupil numbers results in the requirement of new classrooms to deal with the increase in age range. The proposal would contribute to the social role of sustainable development by providing additional education facilities that reflect the need of the school to improve education standards and support social well being.
- 8.29. Environmental – The proposed building would be located in the areas that are currently under utilised, would sit in line with the recently developed classroom block and would not encroach further into the countryside than the existing built form. The proposed development would not have any material adverse impacts on the intrinsic value, beauty, open character and landscape character of the countryside. There are limited adverse environmental impacts associated with the proposal.
- 8.30. In light of the above, it is considered that the social benefits of the scheme would outweigh any environmental harm and that the scheme can be considered sustainable development in the context of the NPPF. In this instance, it is considered there are material planning considerations which outweigh the harm caused by not complying with Policy DM4 of the SADMP. The proposal is therefore considered to be a sustainable form of development in relation to paragraphs 7 and 14 of the NPPF and is recommended for approval.

#### Other Issues

- 8.31. Concerns have arisen regarding the existing waste storage and collection facilities and the impact upon neighbouring properties. However this is an existing issue and as the numbers of pupils are not increasing as part of this application this would not be a consideration of this application.

### **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 in the consideration of this application. The Committee must also ensure the same when determining this planning application.

9.3. There are no known equality implications arising directly from this development.

## **10. Conclusion**

10.1. The application site is a designated educational/community facility. By virtue of the siting, design, scale and appearance, the proposal would not have any material adverse impact on the character or appearance of the site or surrounding countryside. By virtue of the separation distance to neighbouring dwellings, the proposed building would not be prominent or result in any adverse impacts or loss of amenity from noise, disturbance or overlooking over and above that already experienced from this established school site. There is an existing suitable access with extensive parking available and it is therefore considered the proposal would not result in any adverse impacts on highway or pedestrian safety.

10.2. The proposal is contrary to Policy DM4 of the SADMP, however it is considered that the proposal would constitute sustainable development as set out in the NPPF due to the social benefits. The proposal is to allow for more proactive teaching with less pupils per classroom and the development would be in accordance with paragraph 72 of the NPPF. Sustainability in the context of the NPPF, in this instance, is considered to outweigh harm caused by not complying with Policy DM4 of the SADMP.

10.3. The scheme is considered to be in accordance with Policy DM1, DM10, DM17, DM18 and DM25 of the Site Allocations and Development Management Policies DPD and paragraphs 72 and 74 of the NPPF.

## **11. Recommendation**

11.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

11.2. That the Planning Manager Development Management be given powers to determine the final detail of planning conditions.

### **11.3. Conditions and Reasons**

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

**Reason:** To comply with the requirements of Section 51 of 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: Site



Location Plan drg. no. 383-PL01 (scale 1:1250), Proposed Site Plan drg. no. 383-PL04 (scale 1:200), Block Plan drg. no. 383-PL02 (scale 1:500), Proposed Ground Floor Plan and Elevations drg. no. 383-PL05 (scale 1:100) and Tree Survey and Arboricultural Impact Assessment Report received by the Local Planning Authority on the 10 August 2017.

**Reason:** To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

3. Prior to the first use, the materials of the modular building hereby permitted shall be finished in accordance with the submitted applications details, as follows: Proposed Ground Floor Plan and Elevations drg. no. 383-PL05 (scale 1:100) received by the Local Planning Authority on the 10 August 2017.

**Reason:** To ensure that the development has a satisfactory appearance in the interests of visual amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

#### 11.4. **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](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.