



Meeting: **Development Control and Regulatory Board**

Date/Time: **Friday, 26 April 2024 at 2.00 pm**

Location: **Sparkenhoe Committee Room, County Hall, Glenfield**

Contact: **Mr E. Walters (Tel: 0116 3052583)**

Email: **euan.walters@leics.gov.uk**

Membership

Mr. L. Phillimore CC (Chairman)

Mr. R. G. Allen CC	Mr. D. J. Grimley CC
Mr. N. D. Bannister CC	Mr. D. Harrison CC
Mr. M. H. Charlesworth CC	Mr. P. King CC
Mr. J. G. Coxon CC	Mr. B. Lovegrove CC
Mr. D. A. Gamble CC	Mr. K. Merrie MBE CC

Please note: this meeting will be filmed for live or subsequent broadcast via You Tube https://www.youtube.com/playlist?list=PLrIN4_PKzPXjar7IOtLtNZvlwZ4xT_8yU – Notices will be on display at the meeting explaining the arrangements.

AGENDA

Item

1. Minutes of the meeting held on 4 April 2024. (Pages 3 - 6)
2. Question Time.
3. Questions asked by Members under Standing Order 7(3) and 7(5).
4. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.
5. Declarations of interest in respect of items on the agenda.
6. Presentation of petitions under Standing Order 35.



Reports of the Chief Executive on Planning Applications - County Council Applications.

7. 2023/10236/04 (2023/Reg3Ma/0131/LCC): Leicestershire County Council - Construction of a combined Sports Hall & Teaching block - Hastings High School, St Catherines Close, Burbage. (Pages 7 - 36)
8. Any other items which the Chairman has decided to take as urgent.
9. Chairman's announcements.



Minutes of a meeting of the Development Control and Regulatory Board held at County Hall, Glenfield on Thursday, 4 April 2024.

PRESENT

Mr. L. Phillimore CC (in the Chair)

Mr. R. G. Allen CC	Mr. D. J. Grimley CC
Mr. N. D. Bannister CC	Mr. D. Harrison CC
Mr. M. H. Charlesworth CC	Mr. P. King CC
Mr. J. G. Coxon CC	Mr. B. Lovegrove CC
Mr. D. A. Gamble CC	Mr. K. Merrie MBE CC

Webcast.

A webcast of the meeting can be viewed at:

https://www.youtube.com/playlist?list=PLrIN4_PKzPXjar7IOtLtNZvlwZ4xT_8yU

49. Minutes of the previous meeting.

The minutes of the meeting held on 30 November 2023 were taken as read, confirmed and signed.

50. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

51. Questions asked by Members.

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

52. Urgent items.

There were no urgent items for consideration.

53. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

It was noted that all members who were members of a Parish, Town or District Council, or Liaison Committee would have personal interests in applications which related to areas covered by those authorities.

No declarations were made.

54. Presentation of petitions.

The Chief Executive reported that no petitions had been received under Standing Order 35.

55. Change to the Order of Business.

The Chairman sought and obtained the consent of the Board to vary the order of business from that set out on the agenda for the meeting.

56. 2023/01645/07 (2023/Reg3Mi/0122/LCC) - Hugglescote County Primary School - Provision of a single-storey, 3-classroom block including re-siting of existing timber play equipment and reading canopy - Ashburton Road, Hugglescote, LE67 2HA.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 8', is filed with these minutes.

In accordance with the procedures for making representations to the Board, Ian Cockerill spoke as a local resident, Cllr Russell Johnson spoke as a local member from North West Leicestershire District Council, and Ian Sharpe (Leicestershire County Council) spoke as the applicant.

The local member from the County Council Mr. K. Merrie CC stated that he sympathised with residents' concerns about traffic and vehicles parking on roads around the school and he asked for three Traffic Regulation Orders to be put in place in relation to the installation of double yellow lines on the roads. It was noted that this was not an issue that could be taken into account with regards to the planning application, but the request would be passed onto the Highways Authority (Leicestershire County Council).

Members noted that an updated travel plan setting out the ambitions to raise awareness amongst staff and pupils of alternative methods of transport had been provided by the applicant. However, members expressed disappointment that the travel plan lacked specific detail and that officers were having to recommend that an amended document be submitted prior to the first occupation of the new building, secured via condition. In response officers explained that whilst ideally the final travel plan would be available prior to a decision being made on the planning application, it was normal practice for planning permission to be granted first and a condition imposed that the travel plan be approved at a later date. Mr. Merrie CC requested that the travel plan be completed as soon as possible and a copy forwarded to him.

RESOLVED:

That the application be permitted subject to the conditions nos. 1-13 as set out in the appendix to the report.

57. 2023/0919/01 (2023/VOCM/0108/LCC) - J and F Powner Ltd. - Variation of 2020/0861/01 (2020/VOCM/0120/LCC) Condition no. 3 to allow for 10 deliveries from local authority vehicles on a public/bank holiday - Manor Farm, Sharnford Road, Aston Flamville, LE10 3AW.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 7', is filed with these minutes.

RESOLVED:

That the application be permitted subject to:

- (a) the conditions nos. 1-16 as set out in the appendix to the report;
- (b) the prior completion of a Section 106 legal agreement covering commercial vehicle routeing.

58. Revised Members' Planning Code of Good Practice.

The Board considered a report of the Director of Law and Governance, a copy of which, marked 'Agenda Item 9', is filed with these minutes.

RESOLVED:

That the County Council be recommended to adopt the revised Planning Code of Good Practice as appended to the report, subject to the Chief Executive being authorised to make any changes including those arising from its consideration by the Board.

59. Delegated Decisions Issued from October 2023 to March 2024.

The Board considered a report of the Chief Executive, a copy of which, marked 'Agenda Item 10', is filed with these minutes.

RESOLVED:

That the contents of the report be noted.

60. Delegated Tree Preservation Order Decisions Issued from July 2023 to December 2023.

The Board considered a report of the Director of Environment and Transport, a copy of which, marked 'Agenda Item 11', is filed with these minutes.

RESOLVED:

That the contents of the report be noted.

61. Chairman's announcements.

The Chairman reminded members that an additional Board meeting had been arranged for Friday 26 April 2024 at 2.00pm and a site visit in connection with that Board meeting would take place on Wednesday 24 April 2024 at 10.00am.

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**DEVELOPMENT CONTROL AND REGULATORY BOARD****26th April 2024****REPORT OF THE CHIEF EXECUTIVE****COUNTY MATTER****PART A – SUMMARY REPORT**

APP.NO. & DATE: 2023/Reg3Ma/0131/LCC (2023/10236/04). Valid date: 12/12/2023

PROPOSAL: Construction of a combined Sports Hall and Teaching block comprising of 4 Nos. badminton court hall with two storey element at north of main hall to include changing rooms, equipment store, sports theory room, music drama room, dance studio, associated staff and student facilities. The two-storey element on west side of the main hall will include 2Nos design and technology classrooms on ground floor, 2Nos science lab classrooms on first floor and associated preparation rooms and facilities. The roof areas would include plant/equipment and Photovoltaic panels. The proposal also includes construction of new car parking court (30 spaces), and installation of two-tier cycle stand to accommodate 50 cycles, A single storey extension to form a new kitchen at back of existing main school building and a new electric sub-station near schoolhouse and south of main entry gates.

LOCATION: Hastings High School St Catherine's Close Burbage Leicestershire LE10 2QE

APPLICANT: Leicestershire County Council

MAIN ISSUES: Amenity; design and landscaping; highway safety; sports provision; surface water and drainage; and school place provision.

RECOMMENDATION: PERMIT subject to the conditions set out in Appendix A.

Circulation Under the Local Issues Alert Procedure

Mr. S. Bray CC.

Officer to Contact

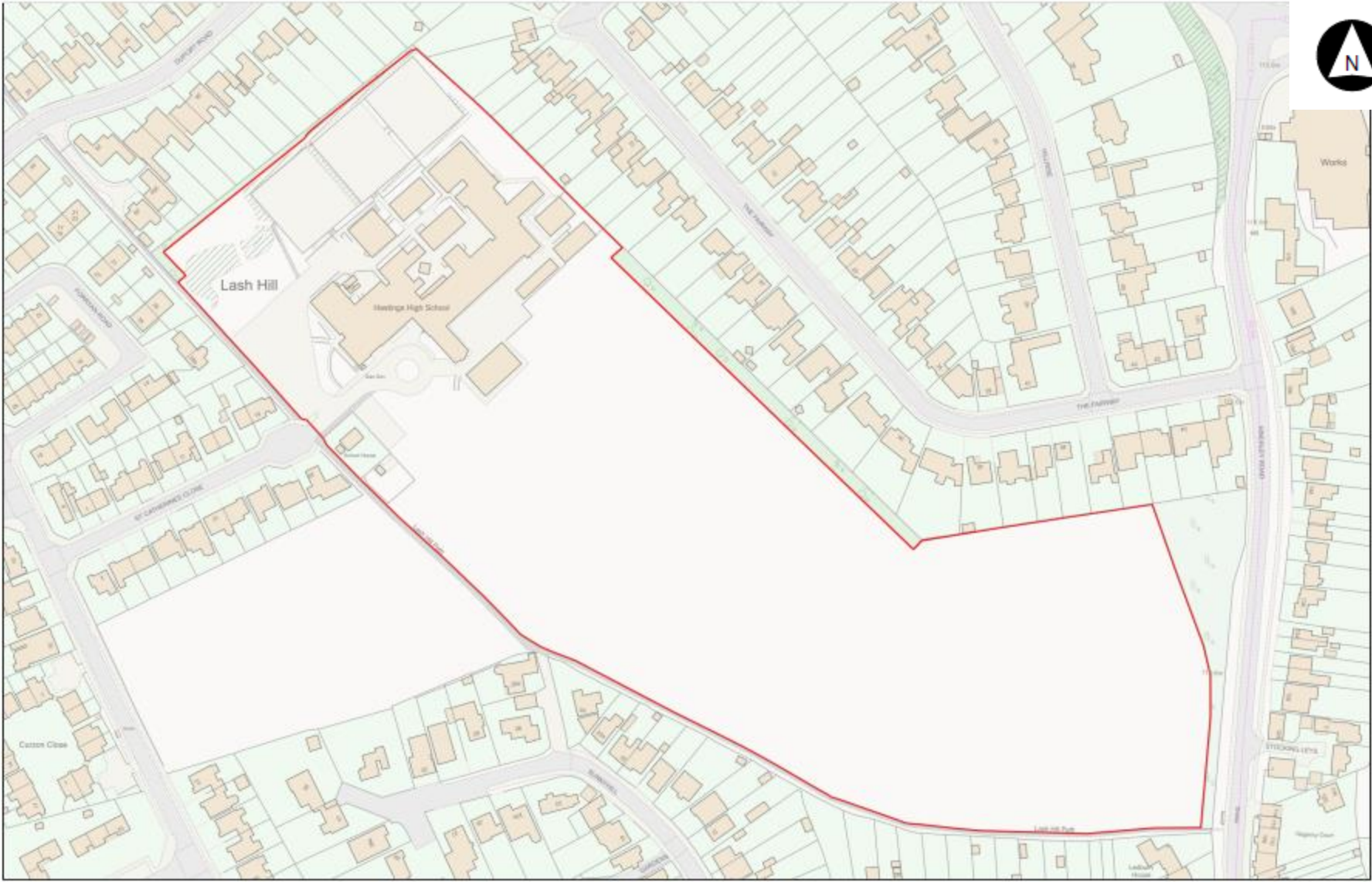
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Email: planningcontrol@leics.gov.uk

PART B – MAIN REPORT

The Site and Surroundings

1. The application site is located in Hinckley and Bosworth District within the settlement boundary for Burbage.
2. The north-western edge of the secondary school site is bound by houses on Duport Road. The south-east boundary is bound by Hinckley Road. St Catherine's Close is a cul-de-sac. Lash Hill public footpath and a small public park are located to the south of the school site. To the north-east of the school site are houses on The Fairway road.
3. There is a single pedestrian and vehicle access into the school site which is via St Catherine's Close.
4. The application site is located within an established residential area.
5. The application site is largely linear shaped with the school building located at the north of the site. Sports courts separate the buildings from residential properties on Duport Road. A grassed sports pitch area extends to the south-east of the school buildings. The sports pitches are grassed and marked out with a track and football pitch areas. There are trees and hedges that are set along all the perimeter boundary of the sports pitched area, and the boundary is enclosed by 2m chain link fencing with sections of close-boarded fencing. The site falls gradually towards the north boundary with Duport Road from the main school building position, which is set at a lower level from the main level sports grassed area by 1.3m. The site is not located within, or adjacent to, any statutory environmental designations. The application site is located wholly in Flood Zone 1 (which has a low probability of flooding from rivers and the sea).
6. The school site provides 60 designated vehicle parking bays (with some additional informal parking bays), a minibus parking bay and 108 cycle parking spaces. Existing school parking provision is located to the western side of the site.
7. The design of the main school building is defined by brick built single, two and three storey elements with flat roofs. There is a brick built detached maths block which is set to the south-east of the school building adjacent to the sports pitches, and a newly installed single storey detached flat roofed classroom accommodation with light grey metal cladding finish. The school has also secured approval for additional classroom accommodation and office of the former schoolhouse at the site.



Background

8. The school has an 800-pupil capacity with 845 students currently enrolled; the proposed development would result in the Published Admissions Number (PAN) increasing by 200, to give a PAN of 1000. Staff numbers would increase from 100 to 120. Leicestershire County Council Strategic Plan (2022) aims to ensure sufficient high quality school places (Outcome 6 –“Improved Opportunities”). Hastings School is currently over its PAN capacity, with a projected deficit of over 100 places by 2026 considering the housing development within the area.

Planning History

9. This section highlights the planning history at the site, which is deemed relevant to the consideration of this planning application. The most recent planning history relating to the school is listed below.
- Planning application reference: 23/00643/FUL Proposed replacement of existing 2no classroom blocks and associated landscaping. Approved: 11 August 2023.
 - Planning application reference: 22/00899/FUL Change of use from former schoolhouse to additional classroom and school office accommodation. Approved: 11 November 2022.
 - Planning application reference: 16/00240/FUL Erection of two storey six classroom building. Approved: 16 June 2016.
 - Planning application reference: 15/00329/FUL Erection of single storey teaching blocks with an extension to existing car park and associated landscaping. Approved 22 June 2015.

Description of Proposal

10. The school seeks to expand pupil places by 200 and 20 full-time equivalent (FTE) staff.
11. Full planning permission is sought for the construction of a combined sports hall and teaching block (with plant/equipment to flat roof section and Photovoltaic Panels to pitched roof), a new parking area, an additional cycle store area, an extension for a new kitchen and a new electric sub-station.
12. There would be reconfiguration of the informal vehicle parking area created with the creation of 30 permanent allocated parking spaces. Additional cycle parking for 50 cycles would be created. An extension to the existing kitchen area is proposed and this would allow the creation of a designated dining space. The existing dining room is currently used in combination with an indoor sports hall, and this proposal would create a new designated sports hall. In addition, a new electric substation is proposed at the school site.

13. Should planning permission be granted, it is the intention that the proposed hall and teaching block would be operational in the academic year starting September 2025.
14. The proposed sports hall and teaching block is to be located towards the eastern end of the south-eastern side of the main school building. It would be set back from the main school building and in line with the maths block, and also set off the north-eastern boundary of the site. It would be two storey with a dual pitched roof. The ridge of the main building would be approximately 10.35 m in height and the finished ground level would be elevated by 1 m from existing. The building would be approximately 49.27 metres wide and 33.85 m in length.
15. The finish materials are proposed to include brick plinth, render and cladding. Windows and doors would be in aluminium framed powder coated with double glazing. The roof is proposed to be finished with a metal standing seam roof for the pitch section and the reinforced bitumen membrane for the flat roof element.
16. The new sports hall and teaching block would accommodate at ground floor a multi-use sports hall, two design and technology science classrooms, changing rooms, staff offices, shared WC facilities, equipment store area, entrance lobby area, plant room and two staircases. There would be a single storey sports equipment store facing the sports pitches. Proposed at first floor are two science labs, a music/drama room, two studios and a sports theory classroom.
17. The existing pedestrian and vehicle drop off area would be unaffected by the new building. There would be steps and level access leading to the new sports hall and teaching block entrance. The entrance would include an extending canopy area. Weld mesh metal fencing is proposed to enclose the car parking, cycle stand and around the external fire escape staircases.
18. The hard landscaping elements of the proposed development include block paving and tarmac areas including the vehicle parking and cycle areas. The area surrounding the new block would be graded back to the existing level and seeded with grass, there would be sections near the entrance to the proposed new building which would be tarmaced.
19. There is proposed landscape planting to provide some screening of the new block. Full details of a comprehensive soft landscaping strategy would include trees: Field maple, Rowan, Alder and small leaved lime. Boundary planting would include native shrubs; Field maple, Dogwood, Hawthorn, Hazel, Guelder Rose, Wild Privet and Holly.
20. To facilitate the new block 9 existing trees would need to be removed.

Planning Policy

The Development Plan

Hinckley and Bosworth Local Development Framework: Core Strategy 2006-2026 (adopted December 2009)

- Policy 4 Development in Burbage
- Policy 5 Transport Infrastructure in the Sub-regional Centre

- Policy 20 Green Infrastructure
- Policy 24: Sustainable Design and Technology

Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016)

- DM1 Presumption in Favour of Sustainable Development
- DM2 Delivering Renewable and Low Carbon Development
- DM3 Infrastructure and Delivery
- DM6 Enhancement of Biodiversity and Geological Interest
- DM7 Preventing Pollution and Flooding
- DM8 Safeguarding Open Space, Sport and Recreational Facilities
- DM10 Development and Design
- DM17 Highways and Transportation
- DM18 Vehicle Parking Standards
- DM25 Community Facilities

Allocation BUR28 Hastings High School Playing Field, St Catherine's Close (Outdoor Sports Facilities)

- Allocation BUR28 Hasting High School, St Catherine's Close (Community Facility)
- Related policies Policy DM8 and DM25 Community Facilities

Burbage Neighbourhood Plan (2021)

- Policy 16 Schools
- Policy 18 New Community Facilities

Emerging Plan

Hinckley and Bosworth Local Plan Review 2020 to 2039

- Draft Policy SS05 Strategy for Burbage

National Policy

National Planning Policy Framework (December 2023)

21. Paragraph 95 states that 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.

22. Paragraph 99 of the NPPF states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless certain criteria can be met, including that the proposal is for alternative provision; an assessment has been undertaken which shows the land or buildings to be surplus to requirements; or the loss would be replaced by equivalent or better provision.

Consultations

23. **Hinckley and Bosworth Borough Council (Planning)** – No objection. It is noted that consideration of Policy DM10 of the adopted Site Allocations and Development Management Policies DPD 2016 is required. Policy DM10 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. It also requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings. Consideration of the impact upon neighbouring properties, including those in close proximity along The Fairway, should be given, including impact upon loss of light, overbearing impacts, loss of privacy, light and noise impacts.

24. **Hinckley and Bosworth Borough Council (Environmental Health)** – No objection subject to, planning conditions relating to land contamination, noise, light, odour and construction management plan being imposed.

25. **Burbage Parish Council** – Supports the principle of the improvement in educational facilities within the parish. However, the Council was minded to object to the revised application as submitted in Option 4 and would ask that Option 2 adjacent to the extended car park be reconsidered with reworking of grass pitch layout to retain 5 pitches to mitigate any statutory objection from Sport England.

26. It was acknowledged that the revised application in Option 4 (current proposal) with enlarged space between building and boundary, reduction in height by 500mm and change in colour of external cladding had gone some way to address local resident concerns but it is still considered to be unsatisfactory for the following reasons:

- The overall scale, design and proximity of the building to neighbouring residential property is unacceptable in consideration of Burbage Neighbourhood Plan Policy 16 and would lead to a significant loss of amenity to adjacent residents.
- The design is considered to be too industrial and lacks architectural quality for the setting in which it would site.
- The proposed landscaping between the building and boundary was noted but concern remained that unless mature planting was implemented it would be many years before effective screening could be achieved. The mass of the building is a concern with the building overshadowing this landscaped area and compromise the ability for the landscaping to flourish.

- The site and adjacent properties already experience significant drainage issues and therefore this Council asks that sufficient conditions to mitigate drainage concerns for a further building on site be given utmost important.

27. **Environment Agency** – No response received.
28. **Lead Local Flood Authority (Leicestershire County Council)** – No objection subject to planning condition.
29. **Local Highways Authority (Leicestershire County Council)** – No objection subject to planning conditions and/or planning obligations.
30. The impacts of the development on highway safety were considered acceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe. Based on the information provided, the development is concluded to comply with paragraph 114 and 115 of the National Planning Policy Framework (December 2023).
31. **LCC Ecology (Leicestershire County Council)** – No objection subject to a planning condition being imposed to secure compliance with the submitted Ecological Enhancement Plan and an informative relating to timing of works to trees to safeguard nesting birds.
32. That there was no evidence of any protected species, and the habitats were of relatively low ecological value as identified in the submitted Preliminary Ecological Appraisal.
33. **Leicestershire County Council Landscape** – No objection subject to a condition being imposed requiring a detailed landscape scheme to provide additional biodiversity and screening.
34. The landscaping scheme would include full details of proposed planting including replacement tree planting, planting specifications, numbers, method and density of planting, planting, plant support and protection and maintenance and management measures.
35. **Leicestershire County Council Archaeology** – No response received.
36. **Natural England** – No response received.
37. **Sport England** – No objection subject to planning conditions.
38. **National Grid** – No objection.
39. **National Gas Transmission** – No objection.
40. **Historical England** – No comment.
41. **Severn Trent Ltd** – No response received.
42. **Active Travel England** – No objection subject to standing advice guidance provided.

Publicity and Representations

43. The application has been publicised by means of site notices, press notice and neighbour notification letters sent to the nearest occupiers in accordance with the County Council's adopted Statement of Community Involvement.
44. An additional period of consultation was undertaken following receipt of amended plans and supporting information.
45. Mr. S. Bray CC, the local member, has requested that the application be presented to the Development Control and Regulatory Board, due to the concern of impact on the neighbouring residents from impacts relating to light, noise, and disturbance.
46. A total of 33 letters of representation have been received from 15 local residents stating their objections to the proposed development on the following grounds:
- a) Concern with loss of outlook, view from gardens, proximity of the building to gardens. That the revised plans provided insufficient mitigation of the height reduction of 50cm and overall size.
 - b) Loss of light and sunlight, due to the scale of a dark grey building within close proximity to rear gardens and the impact of the building, creating shadows and resulting in a loss of wellbeing for residents. Lack of details on plans of the location of the proposed building and residential properties. There is no assessment provided in terms of loss of light impact. Policy DM10 loss of light and overbearing impact not assessed.
 - c) Increase noise disturbance from sports hall and music studios, during school hours, evening and weekends for community use. Lack of ventilation resulting in concentrated amplified noise, which would impact on residents' quality of life and their ability to work from home and relax in the garden. Concern that the noise survey was inaccurate due to timing that it was undertaken during demolition/construction works at the school.
 - d) Significant impact on privacy and amenity.
 - e) Application failed to take account of siting, design and appearance. Proposed lighter colour on external cladding. Pre-application advice was not followed which sought suitable screening. Industrial appearance of the building out of keeping with local surroundings, and poor design overall. Fails to comply with NPPF with regards to good design policies and government guidance.
 - f) Excessive height and width resulting in significant overbearing and overshadowing impact to garden and residential amenity.
 - g) Justification of the proposed location of the new building. Relocate position of the building to the south. Option 2 close to St Catherine's Close is a more viable location that needs reconsidering.
 - h) Significant adverse impact on the outlook of habitable room windows.

- i) Loss of mature trees, wildlife and natural shade. Proposed immature trees and the time to grow.
- j) Increase water run-off concerns into gardens, due to existing ground conditions within gardens having areas that are waterlogged.
- k) School is oversubscribed, and a new school infrastructure is required due to house building.
- l) Lack of early consultation and opportunity to discuss with the school, this goes against Statement of Community Involvement. Also, the timing of the consultation missed opportunity to make representation to Parish Council. Accessibility to comment was not inclusive due to lack of access to internet.
- m) The application fails to comply with Hinckley and Bosworth Local Plan Policy DM10 or the Burbage Neighbourhood Plan and contradicts Policy DM8 loss of land in supporting or recreational use.
- n) Increased capacity and footfall, amount of traffic associated, air and noise pollution created. Increase in parking on the street during drop-off and collection times. Also, traffic increase during evening and weekend use. Possible location of building not suitable for emergency vehicles.
- o) Increased safety and security concerns due to activities outside normal school hours. The lack of school monitoring of public use out of hours.

47. The issues raised are considered in the Assessment of Proposal section of this report.

Assessment of Proposal

Principle of development

48. The Hinckley and Bosworth Local Plan (2006-2026, adopted in 2009) includes site allocation and development management policies which allocates Hastings High School site building as BUR28 – Community Facility and BUR28 – Open Space, Sports and Recreation Facility for the sports pitch area. Development Management Policy DM8: Safeguarding Open Space, Sports and Recreational Facilities Study 2011 applies, which supplements the Core Strategy Policy 19: Green Space and Play Provision. While the proposed building would be sited on a small section of the defined open space area, the application has demonstrated that the existing outdoor sports facilities would not be lost or negatively affected in fact, as identified under Policy DM8 exception c) that the proposed modern indoor sports hall facility would enhance recreational facilities use for the pupils of the school and those in the local community. It would also comply with Policy 19 by providing wider social, recreational and educational benefits.

49. Notwithstanding the above, Policy DM25 (Community facilities) of the Hinckley and Bosworth Local Plan supports applications for the provision of new community facilities where they are within easy and safe walking distance of the majority of the community they will serve. The proposed sports building at the

school is likely to serve the population of Hinckley and Burbage who will be able to walk safely and easily to it.

50. Burbage Neighbourhood Plan Policies 16 and 18 further underpins DM8, DM35 and Policy 19 as above while stating that expansion of existing schools in the Parish would be supported if it can be demonstrated that there is no significant loss of amenity of residents and adjacent users, that it does not involve loss of land used for recreation, unless the loss of recreational land is of a minimal nature and the benefits out-weigh any loss of valuable health and educational resource.
51. Therefore, the principle of the proposed development is considered to be consistent with the Development Plan and Neighbourhood Plan.

Design

52. Policy DM10 – Development and Design, of the Hinckley and Bosworth Local Plan requires developments to meet criteria set out for safeguarding amenity in a) and b), which seeks to ensure that there is no significant adverse effect on the privacy or amenity of nearby residents by virtue of lighting, air quality, noise, visual intrusion or adversely affected by activities in the vicinity.
53. Policy DM10 criteria c) and d) seek to ensure that design of any development complements or enhances the character of the surrounding area and achieves good design quality to protect and enhance the built environment. Furthermore, criteria e) requires development to incorporate a high standard of landscaping which would add quality to design and siting.
54. The submitted Supporting Statement – Building Location, sets out the feasibility and rationale for the siting of the proposed building position.
- Option 1, is located at the north-west of the existing tennis courts. This location was considered unsuitable principally due to issues with drains connections and engineering difficulties.
 - Option 2 adjacent the former caretaker's house south-west close to the entrance of the school. This location would result in some loss of sports pitches and would not potentially be supported by Sports England as this would fail to meet the exceptions test.
 - Option 3 splits the building over two locations either side of the existing maths block adjacent the sports pitches. This location was dismissed due to construction costs of the two buildings being more costly in terms of energy use and carbon emission.
 - Option 4 a single building set at north-east of the maths block. Building to be located closer to the main school and easier access. Intrusion into the sports pitches is minimised.
55. The proposed sports building is two-storey with a shallow, dual pitched roof, with a section of flat roofed element to the south elevation over the classrooms and entrance lobby. The ridge of the dual pitched element of the main building would be approximately 10.3 m tall, from the finished floor level which would be

elevated by 1m from the existing ground level and the double height flat roofed element would be 9.0 m tall from the finished floor level.

56. The single storey school kitchen extension would be flat roofed.
57. In terms of scale and layout, the proposed new sports hall has been designed to meet the space requirements for a range of indoor sports games with associated changing rooms, a formal theory teaching classroom and sports equipment storage area. The layout of the design and technology classrooms, science laboratories, music/drama and creative studios provides suitable, fit for purpose facilities for future use by pupils and teaching staff.
58. The layout of the proposed building block would be set off the northern boundary which allows alignment with the main school building, while being positioned at a slightly higher ground level. The new sports hall and teaching block's siting on the northern part of the application site, and its orientation, allows windows to be positioned facing south-east (towards the sports pitches), north-west (main school building) and south-west (towards the entrance and maths block) which maximises outlook, solar gain, and connectivity with the existing school building and its surroundings. This also allows for a meaningful landscape planting scheme along the northern boundary that connects the school to the sports pitches and provides enclosure between the existing boundary treatments with the surroundings.
59. The mass and form of the proposed modern building block is largely dictated by its overall functional design requirement, the shallow dual pitch roof, window/doors and material finishes of the cladding panels on elevations aid the design to reduce the overall mass impact of the building and be more in character with the main school building surroundings.
60. In respect of materials and features, the elevational treatments proposed are varying in colour of cladding types; there is greater detailing on north-west elevation which forms the main entrance frontage and alignment with the main school and rear facing at the south-east elevation facing the sports pitches. The facade finish ranges from light grey, darker grey and red insulated wall panels, feature band detailing around glazed entrance curtain wall, matching louvers, aluminium framed powder coated glazing, matching gutter, down pipes and external staircases. The submitted Design and Access Statement sets out the detailed materials proposed.
61. The proposed palette of materials is considered to be contemporary and distinctive, while broadly complementing the street scene and locality.
62. Plant equipment is proposed on the buildings flat roof section, these would include air source heat pump and ventilation systems. Mechanical and electrical engineers have yet to provide full design details and therefore it is considered appropriate, in the interests of visual amenity, to impose a planning condition requiring full design details to be submitted to the County Planning Authority for assessment and approval.
63. Furthermore, Policy 24 (Sustainable Design and Technology) of the Hinckley and Bosworth Local Plan seeks to ensure that public building developments

meet, at a minimum BREAM (or equivalent) assessment rating of 'very good', unless there is clear evidence that the development would be unviable.

64. The submitted BREAM New construction Pre-Assessment report for the proposal confirms that based upon detailed review and analysis of the scheme design information provided that the new two storey sports and teaching building would achieve BREAM rating of Excellent.
65. The fabric of the building has been designed to meet Leicestershire County Council's Zero Carbon Policy requirements and the building will be zero carbon in operation, using air source heat pumps to meet heating and ventilation requirements and photovoltaics on the roof to supplement power requirements. The location of the photovoltaic panels is shown on the submitted roof plan and the location of the air source heat pump would be on the flat roof section of the building with other plant and equipment which is shown on the submitted roof plan.
66. The proposed development is considered to be consistent with the requirements of Policy 24 (Sustainable Design and Technology) of the Hinckley and Bosworth Local Plan and Policy DM2 (Delivering Renewable Energy and Low Carbon Development) of the Hinckley and Bosworth Site Allocations and Development Management Policies.

Landscaping and Visual Impact

67. Policy DM10 (Development Design) of the Hinckley and Bosworth Site Allocations and Development Management Plan requires development to be sensitive to the amenity of nearby residents and occupiers of adjacent buildings and to avoid visual intrusion by incorporating a high standard of landscaping that would add to the quality of the design and siting of development and the surrounding character of the area.
68. The proposed sports hall and teaching block will be viewed in the context of existing school building, the sports pitches adjacent to it, the surrounding trees and hedging along the school perimeter and neighbouring residential dwellings.
69. The County Council's Landscape Officer has been consulted on the proposal and proposed planting and commented with no objection on the proposed landscaping design, recommending a condition be imposed securing a detailed landscaping scheme showing details of proposed planting including replacement tree planting, planting specifications, numbers, method and density of planting, plant support and protection and maintenance and management measures should the planning application be recommend for approval.
70. The proposed development includes the use of hard and soft landscaping with the proposed new building and parking areas.
71. The hard landscaping elements of the proposed development include permeable block paving to the car parking area, a concrete base to the cycle store, ramp construction and steps leading to the entrance of the building. Permeable paving forms part of the sustainable urban drainage strategy for the site.

72. Proposed 1.8m and 1.1m high weld mesh metal fencing and gates would provide means of enclosure and security for the vehicle and cycle parking areas. The styles and colour would lessen the visual impact of these elements and balance the need for security and safety within the site.
73. An indicative design of landscape tree planting has been provided which would be sited adjacent the north boundary on a bund which would be in an elevated position by approximately 1.8 m from existing ground level at the site. A detailed soft landscaping plan for the proposed sports hall and teaching block would be conditioned as part of the application in order to ensure suitable design of landscaping is secured. The proposed soft landscaping design is expected to screen views into and out of the site. Nine trees are proposed to be removed from the site to facilitate the construction of the new building and parking and cycling area.
74. Therefore, the proposed development is considered to make a positive contribution in terms of the soft and hard landscaping proposed, in accordance with Policy DM10 (Development Design) of the Hinckley and Bosworth SADMP (Site Allocations and Development Management Policies) Plan.

Ecology and Biodiversity

75. Policy DM6 (Enhancement of Biodiversity and Geological Interest) of the SADMP requires development to contribute towards protecting and improving biodiversity and geodiversity.
76. The planning application has been accompanied by supporting documents, namely: a Preliminary Ecology Appraisal Survey Report, an Ecological Enhancement Plan and Biodiversity Net Gain Report.
77. The Ecological Enhancement Scheme proposes fourteen medium-sized trees across the site. No specified detailed landscaping strategy has been provided at this stage, although it does include a recommendation that some of the trees could be located in the southeast of the wider Hastings School site. However, revised proposed plans for the new building have included details of tree planting to the north-east of the site also.
78. There are opportunities for biodiversity value along the boundary of sports pitches which presents an opportunity for habitat creation and biodiversity. It is also proposed to provide a range of habitat features within the site (bird boxes, bat boxes, hedgehog highways).
79. This application was submitted ahead of the mandatory date for the introduction of biodiversity net gain, or BNG (which was the 12th February 2024) and as such is not required to provide mandatory BNG in line with The Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024. Notwithstanding this, the Biodiversity Net Gain Report concludes that, based on the proposed development as submitted, there will be a net gain of 10%.
80. A consultation response has been received from the County Council's Ecology Team acknowledging that there was no evidence of protected species, and the habitats were of low ecological value as identified in the submitted Preliminary

Ecological Appraisal. A planning condition is proposed to secure compliance with the Preliminary Ecological Appraisal and measures set out in carrying out works.

81. The proposed development contributes towards protecting and improving biodiversity in accordance with Policy DM10 (Development Design) of the Hinckley and Bosworth SADMP Plan.

Traffic, Access and Parking

82. Policy 5 (Transport Infrastructure in the Sub-regional Centre) of the Hinckley and Bosworth SADMP Plan encourages and supports local movements including walking, cycling and use of public transport means of travel. Policy DM17 (Highways and Transportation) and DM18 (Vehicle Parking Standards) of the Hinckley and Bosworth SADMP Plan seeks to ensure sustainable means of travel and limit any significant impacts upon highway safety.
83. A Transport Assessment and School Travel Plan were submitted as part of the planning application. The assessment concluded that the site is in close proximity to good walking and cycling infrastructure on the local road network and near Hinckley railway station and public bus stops. The supporting travel plan sets out measures that promoted sustainable modes of travel for all those using the school site.
84. Local Council Highway officer concluded overall that impacts as a result of the development on highway safety and the local road network were considered acceptable. The officer has reviewed the school travel plan and has recommended improvement measures be considered for increasing active and sustainable travel for staff and pupils, and recommends a condition be imposed to secure an updated school travel plan.
85. Turning to the level of car parking provision within the site, the Highway officer considered this to be consistent with the Highway Authority's requirements for schools.
86. The proposed development provides 30 car parking spaces made up of 25 standard sized spaces, four electric vehicle charging spaces and one disabled parking space. The size of the proposed parking spaces and circulation areas are consistent with the Leicestershire Highway Design Guide. The Highway Authority raises no objection to the parking proposals within the site.
87. Additional 50 sheltered cycle parking spaces are proposed. The Highways Authority supports the provision of the proposed 50 cycle stands and recommends a planning condition to secure this provision.
88. Turning to the impact of the proposed development on the highways network, the LHA has considered the additional submitted Technical Note (Peak Traffic Generation) with predicted trip generation data and had concluded that given that there is no evidence of capacity issues at local junctions that further detailed capacity assessments are not considered necessary.
89. The Highway Authority also acknowledges that in the case of school sites, this will include parents/carers who will drop pupils off on surrounding streets as part

of their existing trip. Therefore, there will not all be new trips on the local highway network. In addition, the LHA has advised schemes of mitigation to the local road network at key junctions as part of planning application ref: 23/00673/OUT (for the erection of up to 343 dwellings on land opposite and south of Pumping Station Aston Flamville Road Burbage). The Highway Authority raises no objections.

90. A Construction Environmental Management Plan and Construction Logistics Plan by (Willmott Dixon Construction Ltd dated 15th January 2024, Revision D and Plan Revision C) has been submitted as part of the planning application. An amended Construction Environmental Management Plan has been provided which details the measures proposed to manage construction traffic. Highway Authority noted that the detailed submitted were satisfactory as the proposed routing will utilise the best available routes between the site and the strategic road network. That a suitably worded planning condition is recommended to ensure details provided in the Construction Environmental Management Plan are adhered to during construction.
91. Therefore, it is considered appropriate to impose suitably worded planning conditions in order to safeguard highways safety.
92. The proposed development is considered to comply with the requirements of Policy DM17 (Highways and Transportation) and DM18 (Vehicle Parking Standards) of the Hinckley and Bosworth SADMP Plan.

Amenity

93. Policy DM10 (Development Design) of the Hinckley and Bosworth SADMP Plan requires development to be designed to minimise impact on the amenity of nearby residents on matters relating to lighting, air quality (odour), noise disturbance, vibration and visual intrusion.
94. A Noise Assessment has been submitted to support the planning application. The Noise Assessment concludes that, based on the background noise levels measured at site, the predicted noise levels are such that indoor ambient noise levels set out the Building Bulletin 93: Acoustic design of schools - performance standards for indoor ambient noise levels within teaching and learning spaces can be achieved with suitable building design of its envelope, glazing and ventilation strategy.
95. Plant and equipment that is proposed to be installed on the flat roof section of the new two storey building and the odour control flue extraction system on the proposed new kitchen has the limited potential to generate noise which could impact upon the amenity of the occupiers of nearby properties, as well as the pupils and staff of the school. The Noise Assessment submitted alongside the planning application recommends noise limits for plant which would comply with the relevant standards.
96. Should planning permission be approved for the proposed development, the construction phase of the development could give rise to adverse impacts on the occupiers of neighbouring residential properties and users of the surrounding Public Rights of Way network. Therefore, a Construction Environmental Management Plan, which addresses potential environmental impacts of the

construction and methods to mitigate the specific environmental disturbances such as noise, vibration and dust, has been submitted alongside the planning application. The measures included therein are considered to be acceptable and a suitably worded planning condition should be imposed on any planning permission requiring the developer to adhere to the Construction Environmental Management Plan.

97. Notwithstanding the above, the Hinckley and Bosworth Borough Council Environmental Health Officer has recommended that suitably worded planning conditions be imposed to ensure noise limits and air quality remain at acceptable levels to safeguard amenity of nearby residential properties.
98. Details of the external lighting strategy have not been submitted. To ensure that any external lighting required within the site does not have an unacceptable impact on the amenity of neighbouring occupiers, a suitably worded planning condition is proposed.
99. A solar study has been provided which demonstrates the extent of the proposed building shadowing during the seasonal period. The study shows that during peak times during spring and summer the level of sunlight experienced by local residential dwellings would not be significantly impacted.
100. It is noted that over the course of the planning application, revised plans have been submitted to minimise the impact of the new building on local residents. Amendments to the location, design and scale include moving the building further from the north boundary so it would be approximately 15 m from the rear gardens' adjacent dwellings on The Fairway. In addition, there has been alteration to the overall width of the building to allow for a shallower pitch of the roof.
101. The proposed sports hall and teaching block would not result in a significant loss of light for neighbouring residential occupiers.
102. On the basis of the above, the proposed development is considered to comply with Policy DM10 (Development and Design) of the Hinckley and Bosworth SADMP Plan as well as relevant national policy and guidance with regard to issues of amenity during construction and operation. It would be appropriate to impose planning conditions to ensure that the construction and operation of the proposed development is acceptable.

Flood Risk

103. Policy DM7 (Preventing Pollution and Flooding of the Hinckley and Bosworth SADMP Plan, and in accordance with the NPPF, seeks to direct development to areas at the lowest risk of flooding. The application site is located within Flood Zone 1, in accordance with this planning policy.
104. The site is larger than 1 ha and, accordingly, a site-specific Flood Risk Assessment, has been submitted with the planning application. The Flood Risk Assessment concludes that the development area is not at risk of long-term surface water flooding, and therefore not subject to significant flood risk.

105. It also concludes that the proposed development will not increase flood risk within the wider catchment area.
106. The proposed development is considered to comply with Policy DM7 and the NPPF with respect to flood risk.

Surface water and drainage

107. Policy DM7 (Preventing Pollution and Flooding) of the Hinckley and Bosworth SADMP Plan, requires development to incorporate sustainable drainage systems.
108. Drainage Feasibility Plans, Exceedance Event Overland Flow Strategy Plan and Surface Water Catchment Plan by HSP Consulting dated October 2023 and January 2024 have been submitted for consideration. The Drainage Strategy has been designed with soft landscaping grass seeded areas around the new building and permeable paving with surface areas to car and cycle parking areas. The school currently discharges surface water runoff via onsite private network into the public sewer within St Catherine's Close, the surface water from the proposed works will discharge into the existing network via the proposed attenuation storage tanks onsite.
109. The County Council as the Lead Local Flood Authority have been consulted and raises no objection to the proposed development subject to the imposition of suitably worded planning conditions to ensure the strategy for managing surface water is implemented.
110. On the basis of the above, the proposed development is considered to comply with Policy DM7 (Preventing Pollution and Flooding) of the Hinckley and Bosworth SADMP Plan.

Contamination

111. A Phase II Geoenvironmental Assessment Report was submitted with the planning application. Ground investigation findings confirm that the area of the proposed development is underlaid with clay and sand, and gas monitoring revealed that there were no risks to human health from the site.
112. It is considered appropriate to include a condition to manage the detection of previously unidentified contamination during construction of the proposed development.

Sustainability

113. Policy DM1 (Presumption in Favour of Sustainable Development) of the Hinckley and Bosworth SADMP Plan is commitment to promoting sustainable development in line with the 'presumption in favour of sustainable development' in the NPPF. This presumption is at the heart of the NPPF so as to ensure that sustainable development is pursued in a positive way. Policy DM1 confirms that the presumption will be applied locally and reflects the NPPF in making it clear that development which is considered sustainable will be approved without delay. Furthermore, Policy DM3 (Infrastructure and Delivery) and Policy DM25 Community Facilities recognises that provision of school places, and sports

facilities are essential local community assets and form a type of infrastructure that underpins and enables the sustainable growth of communities.

114. The NPPF defines sustainable as 'meeting the needs of the present generation without compromising the ability of future generations to meet their own needs'. It emphasises that three dimensions need to be considered in achieving sustainable development, namely economic, social and environmental. The proposed development contributes to sustainable development by providing employment (both during construction and for staff during operation), a community facility (for the education of pupils and community use of shared facilities) and various environmental opportunities (including the incorporation of renewable energy sources and biodiversity and ecology mitigation and enhancements).
115. The proposed development is considered to contribute to sustainable development, as defined by the NPPF and captured by the Hinckley and Bosworth Borough Council, is in accordance with the Development Plan.

Other Issues

Community facility

116. A draft Community Use agreement has been provided which seeks to achieve community use targets in line with appropriate sports development strategies and meet identified need for specific users. A planning condition would ensure that the agreement is completed to the satisfaction of all stakeholders.

Conclusion

117. The proposed sports hall and teaching block at the school, kitchen extension, car parking area and cycle storage area complies with the Development Plan.
118. The design and landscaping of the development would soften the appearance of the building's functional form. The landscaping on this site also offers the benefit of enhancing biodiversity, which alongside sustainable building materials and energy efficiency measures would result in the school meeting environmental standards supported by local policy.
119. The proposed development includes safe access to and egress from the site for all users. It is anticipated to have an acceptable impact on the local and wider highway network and is supported by a Travel Plan to reduce impacts further and promote sustainable modes of transport.
120. With the imposition of conditions to secure the proposed design and landscaping scheme and manage the impacts of the development on the local highway network and, the amenity of the area, the proposed development accords with the Development Plan and it is recommended that it be granted planning permission subject to conditions.

Statement of Positive and Proactive Engagement

121. In determining this application, the County Planning Authority has worked positively and proactively with the applicant by entering into pre-application

discussion; assessing the proposals against relevant Development Plan policies and all material considerations; consultation responses and all valid representations that have been received. Issues of concern have been raised with the applicant and addressed through negotiation and acceptable amendments to the proposals. This approach has been in accordance with the requirement set out in the National Planning Policy Framework.

Recommendation

1. PERMIT subject to the conditions set out in Appendix A.

Officer to Contact

Atief Ishaq

E-Mail planningcontrol@leics.gov.uk

Conditions

1. The development hereby permitted shall be begun within 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the submitted application (as amended) including the following plans:
 - Drawing No.M00517-AGA-XX-XX-D-A-0001-P08. Titled Site Location Plan dated 10th March 2024.
 - M00517-AGA-XX-XX-D-A-0002-P07. Titled Site Block Plan dated 19th March 2024.
 - M00517-AGA-XX-XX-D-A-0010-S4-P02. Titled New Build-Proposed Site Plan dated 08th April 2024.
 - M00517-AGA-XX-XX-D-A-0011-S4-P02. Title Proposed Wider Site Plan dated 08th April 2024.
 - M00517-AGA-XX-XX-D-A-0012-P01. Titled Proposed Pitch Markings dated 7th March 2024.
 - M00517-AGA-XX-XX-D-A-0013-P01. Titled Existing Pitch Markings dated 7th March 2024.
 - M00517-ADA-XX-XX-D-A-0015-S4-P01. Titled Logistics Plan dated 08th March 2024.
 - M00517-AGA-XX-XX-D-A-0050-P01. Title Proposed Cycle stand details dated 1st December 2023.
 - M00517-AGA-XX-XX-D-A-0051-P01. Titled Sub Station details dated 11th January 2024.
 - M00517-AGA-XX-XX-D-A-0052-P01. Titled Proposed Fencing Elevations dated 12th January 2024.
 - M00517-AGA-XX-B200-D-A-0100-P16. Titled New Build - Ground Floor Plan-GA 7th March 2024.
 - M00517-AGA-XX-B201-D-A-0101-P18.Titled New Build - First Floor Plans-GA dated 7th March.
 - M00517-AGA-XX-B2RF-D-A-0102-P06. Titled New Build - Roof Plan dated 7th March 2024.
 - M00517-AGA-XX-B2XX-D-A-0135-P06. Titled Typical Section -New Sportshall Building and Classroom Block.
 - M00517-AGA-XX-B2XX-D-A-0175-P13. Title New Build - External Elevations dated 7th March 2024.
 - M00517-AGA-XX-B2XX-D-A-0176-P13. Title New Build - External Elevations dated 7th March 2024.
 - M00517-AGA-XX-B2XX-D-A-0177-P10. Titled New Build - Elevations with Materials dated 10th March 2024.
 - M00517-AGA-XX-B2XX-D-A-0178-P10. Titled New Build - Elevations with Materials dated 10th March 2024.
 - M00517-AGA-XX-B2XX-D-A-0179-P03. Titled Contextual Elevations dated 10th March 2024.
 - M00517-AGA-XX-B2XX-D-A-0180-P01.Titled Finishes and Materials dated 10th March 2024.

- M00517-AGA-XX-B300-D-A-0200-P06. Titled Ex Building-Proposed Kitchen Extension dated 1st December 2023.
- M00517-AGA-XX-B3XX-D-A-0275-P01. Titled Ex Building-Kitchen Extension Elevations dated 1st December 2023.
- M00517-AGA-XX-B2XX-D-A-0750-P02. Titled Solar Study Summer dated 11th March 2024.
- M00517-AGA-XX-B2XX-D-A-0751-P02. Titled Solar Study Winter 11th March 2024.
- M00517-AGA-XX-B2XX-D-A-0752-P02. Titled Solar Study Spring 11th March 2024.
- M00517-HSP-XX-XX-D-C-0002-S3-P03. Titled Surface Water Catchment Plan dated 5th January 2024.
- M00517-HSP-XX-XX-D-C-0003-S3-P05. Titled Exceedance Event / Overland Flow dated 5th January 2024.
- M00517-HSP-XX-B2XX-D-C-0005-S3-P03. Titled Proposed Levels Plan dated 5th January 2024.
- M00517-HSP-XX-XX-D-C-0010-S3-P04. Titled Principle Kerbing Plan dated 28th November 2023.
- M00517-HSP-XX-XX-D-C-0011-S3-P04. Titled External Finishes dated 28th November 2023.
- M00517-HSP-XX-XX-D-C-0500-S3-P07. Titled Drainage Feasibility Plan dated 31st October 2023.
- M00517-HSP-XX-B3XX-D-C-0006-S3-P01. Titled Drainage Sections dated 08th April 2024.
- M00517-DBS-XX-B200-D-M-5700-P01 Level 00. Titled Ventilation dated 21st December 2023.
- M00517-DBS-XX-B200-D-M-5701-P01 Level 01. Titled Ventilation dated 21st December 2023.
- 48371_T_E_UG_REV2. Titled Topographical & Utility Survey dated 11th August 2023.
- 48371B_T_E_REV0-A1 Ele at 100. Titled Existing building elevations dated 11th August 2023.
- CEMP Hastings – Rev G. Titled Construction Environmental Management Plan dated 15th April 2024.

Reason: For the avoidance of doubt as to the development that is permitted.

3. External material finishes of the school buildings hereby permitted shall be finished in accordance with Drawing No. M00517-AGA-XX-B2XX-D-A-0180 Rev:S3-P01 titled 'Finishes and Materials' dated 10th March 2023 and Design and Access Statement No. M00517-AGA-XX-XX-T-A-1003-P04 dated 19th March 2024.

Reason: For the avoidance of doubt as to the development that is permitted. In the interests of good design, visual amenity and to ensure a satisfactory form of development in accordance with Policy DM1 and Policy DM10 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 135 and paragraph 140.

4. Prior to occupation, a final Community Use agreement shall be submitted to and approved in writing by the County Planning Authority. The community use agreement shall apply to the proposed sports hall, and the school's existing

sports facilities including the grass pitches, associated changing rooms, toilets and car parking, and include details of pricing policy, hours of uses, access by non-educational establishment users, management responsibilities and mechanism for review.

Reason: In the interest of securing sustainable community facilities which support health, social and cultural wellbeing. To ensure a satisfactory form of development in accordance with Policy DM25 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and NPPF (2023).

5. All site preparation or construction works, deliveries of and movement of materials and machinery associated with the development hereby permitted shall be limited to taking place only between the following hours:

- Monday to Friday between 07:30 and 18:00
- Saturday between 08:00 and 13:00.

No such works shall take place at any other times or on Sundays or bank or public holidays.

Reason: To manage to amenity impacts of the construction phase in accordance with Policies DM1 and DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 180.

6. The development hereby permitted shall be carried out in accordance with the submitted Construction Environmental Management Plan CEMP Hastings – Rev G and the submitted Construction Logistics Plan Burbage Hastings Logistics Plan Revision S4-P01 dated 11th April 2024.

Reason: To manage to amenity impacts of the construction phase in accordance with Policies DM1 and DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 180.

7. Prior to the construction of the damp proof course, a detailed landscaping scheme in line with the submitted titled 'Landscape Proposals' shown on Drawing No.4/23/123/1 dated January 2024 and Plan titled 'Ecological Enhancement Plan' dated 16TH January 2023 shall be submitted to and approved in writing by the County Planning Authority.

The approved landscaping scheme shall be implemented in the first available planting season following the substantial completion of the new buildings hereby permitted. All planting shall be suitably maintained and replaced as necessary for a period of not less than 5 years from the date of planting.

Reason: In the interests of good design, to safeguard the appearance of the locality and to enhance biodiversity and ecology within the site in accordance with Policy DM1 and DM6 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 186.

8. Prior to the construction of the damp proof course, an updated biodiversity enhancement scheme has been submitted to and approved in writing by the County Planning Authority. Enhancements shall include (but are not limited to) the native planting required in order to achieve Biodiversity Net Gain as outlined within the Biodiversity Net Gain Report reference SQ-1368.2 (Estrada Ecology, November 2023). Any enhancement measures need to be shown on all relevant submitted plans/elevations. All works are to proceed strictly in accordance with the approved scheme.

Reason: To achieve measurable net gain in biodiversity across the site and secure ecological enhancements in accordance with Policy DM1 and DM6 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 186.

9. Details of any external lighting of the site shall be submitted to, and approved in writing by, the County Planning Authority prior to the first use of the development. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The scheme shall be implemented as approved and operational prior to the first use of the building and retained in perpetuity.

Reason: In the interests of good design, visual amenity and reducing light pollution from artificial light. To ensure a satisfactory form of development in accordance with Policies DM1 and DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 191.

10. If during construction, contamination not previously identified is found to be present at the site, no further development shall take place until an addendum to the scheme for the investigation of all potential land contamination is submitted to and approved in writing by the County Planning Authority which shall include details of how the unsuspected contamination shall be dealt with. Any remediation works so approved shall be carried out in line with the approved details.

Reason: In the interests of environmental protection, to prevent against any instances of ground and water pollution in accordance with Policies DM1 and DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 180.

11. Development shall not begin until a scheme for protecting nearby dwellings from plant noise associated with the proposed development has been submitted to, and approved in writing by, the County Planning Authority. All works which form part of the scheme shall be completed before the development first comes into use.

Reason: In the interests of local amenity, to prevent against any instances of unacceptable and adverse noise pollution during construction in accordance with Policies DM1 and DM7 of the Hinckley and Bosworth Site Allocations and

Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 180.

12. No development shall take place until a scheme for ventilation of the premises, which shall include installation method, maintenance and management has been submitted to, and approved in writing by, the County Planning Authority. The approved scheme shall be implemented in accordance with the approved details before the premises are first brought into use and maintained in thereafter.

Reason: In the interests of local amenity and to prevent against odour and poor air quality in accordance with Policies DM1 and DM7 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the NPPF (December 2023) including paragraph 180.

13. The development hereby permitted (including any site clearance/preparation works) shall be built in accordance with the details contained in A+G Architects drawing number: M00517-AGA-XX-XX-D-A-0011, 'Logistics Plan', Revision S4-P01, dated 11 April 2024 and Willmott Dixon, Construction Environmental Management Plan (CEMP) 'Hastings High School', Revision G, dated 15 April 2024.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

14. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with A+G Architects drawing number: M00517-AGA-XX-XX-D-A-0010, 'Proposed Site Plan – New Builds', Revision S4-P02, dated 8 April 2024. Thereafter the onsite parking and turning provision shall be kept available for such uses in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety in accordance with Policy DM17 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the National Planning Policy Framework (December 2023).

15. The development hereby permitted shall not be occupied until such time as the cycle parking facilities have been implemented in accordance with A+G Architects drawing number: M00517-AGA-XX-XX-D-A-0010, 'Proposed Site Plan – New Builds', Revision S4-P02, dated 8 April 2024. Thereafter the onsite cycle parking provision shall be kept available for such uses in perpetuity.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the National Planning Policy Framework (December 2023).

16. No part of the development hereby permitted shall be first occupied until an amended School Travel Plan which sets out actions and measures with

quantifiable outputs and outcome targets has been submitted to, and approved in writing by, the County Planning Authority. Thereafter the School Travel Plan shall be implemented in accordance with the approved details.

Reason: To reduce the need to travel by single occupancy vehicle and to promote the use of sustainable modes of transport in accordance with Policy DM17 of the Hinckley and Bosworth Site Allocations and Development Management Policies DPD (July 2016) and requirements of the National Planning Policy Framework (December 2023).

17. No development shall commence above slab level until details of the sports hall flooring, heating, lighting, and ventilation systems have been submitted to, and approved in writing by, the Local Planning Authority [after consultation with Sport England]. This shall include a management plan designed to manage the use for non-sports activities (including exams) including procedures to prevent damage to the sports flooring. The sports hall shall not be constructed other than in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with guidance in the NPPF (2023).

18. No development approved by this planning permission shall take place until such time as details in relation to the management of surface water on site during construction of the development has been submitted to, and approved in writing by the Local Planning Authority. The construction of the development must be carried out in accordance with these approved details.

Reason: To prevent an increase in flood risk, maintain the existing surface water runoff quality, and to prevent damage to the final surface water management systems though the entire development construction phase.

Informative

- To erect temporary directional signage, you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).
- Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
- More information on Community Use Agreements is available using the following link: <https://www.sportengland.org/how-we-can-help/facilities-and-planning/planning-for-sport/community-use-agreements>
- Sport England recommends that the school puts in place a management plan for the use of the sports hall for non-sports activities (including exams) to ensure that the sports hall flooring is suitably protected from damage from these activities.

- Active Travel England standing advice issued
<https://www.gov.uk/government/publications/active-travel-englandsustainable-development-advice-notes>.

DEVELOPMENT CONTROL AND REGULATORY BOARD

The considerations set out below apply to all the preceding applications.

EQUALITY AND HUMAN RIGHTS IMPLICATIONS

Unless otherwise stated in the report there are no discernible equality and human rights implications.

IMPLICATIONS FOR DISABLED PERSONS

On all educational proposals the Director of Children and Family Services and the Director of Corporate Resources will be informed as follows:

Note to Applicant Department

Your attention is drawn to the provisions of the Chronically Sick and Disabled Person's Act 1970 and the Design Note 18 "Access for the Disabled People to Educational Buildings" 1984 and to the Equality Act 2010. You are advised to contact the Equalities function of the County Council's Policy and Partnerships Team if you require further advice on this aspect of the proposal.

COMMUNITY SAFETY IMPLICATIONS

Section 17 of the Crime and Disorder Act 1998 places a very broad duty on all local authorities 'to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all reasonably can to prevent, crime and disorder in its area'. Unless otherwise stated in the report, there are no discernible implications for crime reduction or community safety.

BACKGROUND PAPERS

Unless otherwise stated in the report the background papers used in the preparation of this report are available on the relevant planning application files.

SECTION 38(6) OF PLANNING AND COMPULSORY PURCHASE ACT 2004

Members are reminded that Section 38(6) of the 2004 Act requires that:

"If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise."

Any relevant provisions of the development plan (i.e. any approved Local Plans) are identified in the individual reports.

The circumstances in which the Board is required to "have regard" to the development plan are given in the Town and Country Planning Act 1990:

- Section 70(2) : determination of applications;
- Section 77(4) : called-in applications (applying s. 70);
- Section 79(4) : planning appeals (applying s. 70);
- Section 81(3) : provisions relating to compensation directions by Secretary of State (this section is repealed by the Planning and Compensation Act 1991);
- Section 91(2) : power to vary period in statutory condition requiring development to be begun;
- Section 92(6) : power to vary applicable period for outline planning permission;
- Section 97(2) : revocation or modification of planning permission;
- Section 102(1) : discontinuance orders;
- Section 172(1) : enforcement notices;
- Section 177(2) : Secretary of State's power to grant planning permission on enforcement appeal;
- Section 226(2) : compulsory acquisition of land for planning purposes;
- Section 294(3) : special enforcement notices in relation to Crown land;
- Sched. 9 para (1) : minerals discontinuance orders.

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