

Item No: 5d**Application Reference Number:** P/22/0727/2

Application Type:	Full	Date Valid:	13 April 2022
Applicant:	Rawlins Academy		
Proposal:	Construction of gates, fencing, and hardstanding.		
Location:	Rawlins Academy Church Lane Quorn Leicestershire LE12 8DY		
Parish:	Quorn	Ward:	Quorn & Mountsorrel Castle
Case Officer:	Harry White	Tel No:	01509 634570

1. Background

- 1.1 This application is referred to Plans Committee in accordance with the scheme of delegation, as the application has been called-in by Councillor Richard Shepherd in June 2022 for the following reasons:
- Potential loss of daylight
 - Design
 - Overbearing impact arising the development
 - Potential highway impact
- 1.2 Councillor Richard Shepherd is no longer a Ward Councillor so is unable to consider withdrawal of the call-in, and so the application is to be determined by Plans Committee.

2. Description of the application site

- 2.1 The application site comprises Rawlins Academy school which is a site of over 10 hectares located in the centre of Quorn. The topography of the site is mostly flat land, gradually sloping down from Loughborough Road to the south towards Meynell Road to the north, which is within the former flood plain of the River Soar.
- 2.2 The site is split into two areas, the northern parcel (Area 4) surrounding the playing field, and the western parcel (Area 2) adjacent to Orchard Estate. The playing field is bound by a mix of 2.0m high steel palisade security fencing, and 2.0m to 5.0m high wire mesh fencing. The Orchard Estate area is bound by a mix of 2.0m to 2.4m high steel palisade security fencing
- 2.3 The whole of the school is currently bound by a mix of local stone walls, 2.0m high metal fencing, and 2.0m to 5.0m high mesh fencing, as well as a mixture of trees and shrubs.

- 2.4 The front of the school site, adjacent to Loughborough Road is located within the Quorn Conservation Area. Following concerns expressed, no works are to be carried out within, or adjacent to the Conservation Area. The south-eastern boundary of the wider school site is adjacent to the Grade I listed St Bartholomew's Church.
- 1.2 The school itself is located within Flood Zone 1 (at the lowest risk of flooding). The Playing Field and immediate environs is located within Flood Zone 3 (high probability of flooding).
- 1.3 Rawlins Academy is accessed by vehicle from Church Lane, and Orchard Estate. The site can also be accessed from the network of footpaths K38 and K39, which lead from Mansfield Street and the St Bartholomew's Churchyard.
- 1.4 The development is located entirely within the limits to development for Quorn, as set out within Policy S1 of the Quorn Neighbourhood Plan Referendum Version Final February (2019).

3. Description of the proposal

- 3.1 The proposal is for full planning permission for the construction of gates, fencing and hardstanding at Rawlins Academy. The fencing would be positioned around the perimeter of the playing field, and around the Orchard Estate entrance (Areas 4 and 2 respectively).
- 3.2 The proposed development would also include the installation of new gates on the Orchard Estate entrance (Area 2).
- 3.3 The proposed fencing around the playing field would measure 2.4m (and only 2.0m to the east) in height and would be constructed in powder coated metal and painted green. It is worth noting that the school is permitted to install fencing of up to 2.0m in height through the allowances of Class A, Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) (Order 2015) (as amended).
- 3.4 During the course of the application, the proposed fencing at the front of the site within area 1, adjacent to Loughborough Road, within the Quorn Conservation Area, has been removed from the application. As well as the fencing that was proposed within Area 3, around the public footpath to the east of the southern part of the site. Therefore, the proposal now only includes Areas 2 and 4 on the Proposed Plan (J4836-56-B).
- 3.5 The proposed development would also see the relocation of a container on the playing field, and the installation of a small amount of hardstanding within the Orchard Estate Car Park and school area. The container is currently adjacent to the footpath at the southern edge of the playing field.

3.6 The application is supported by the following documents:

- Tree Schedule
- Tree Report
- Design & Access Statement
- Application Form
- Fencing Elevations 2.0m
- Fencing Elevations 2.4m
- Area 2 Site Plan
- Area 4 Site Plan
- Site Location Plan
- Existing Site Plan

4. Development Plan Policies

4.1 The Development Plan comprises the Charnwood Local Plan Core Strategy (adopted 9 November 2015), the Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies), and the Quorn Neighbourhood Plan made on May 2019.

4.2 The policies applicable to this application are as follows;

4.2.1 Charnwood Local Plan Core Strategy

- Policy CS1 – Development Strategy
- Policy CS2 – High Quality Design
- Policy CS13 – Biodiversity and Geodiversity
- Policy CS16 - Sustainable Construction and Energy
- Policy CS25 - Presumption in favour of sustainable development

4.2.2 Borough of Charnwood Local Plan (adopted 12 January 2004) (saved policies)

Where they have not been superseded by Core Strategy policies previous Local Plan policies remain part of the development plan. In relation to this proposal the relevant ones are:

- Policy ST/2 - Limits to Development
- Policy EV/1 – Design
- Policy TR/18 - Parking in New Development
- Policy CF/1 - Retention of Existing Community Facilities

4.2.3 Quorn Neighbourhood Plan 2018-2036 (Made: May 2019)

- Policy S1 – Settlement Boundary
- Policy S2 – Design Guidance
- Policy ENV5 – Sites of Historic Environment Significance
- Policy ENV6 – Biodiversity
- Policy CF2 – New or Improved Community Facilities
- Policy CF3 – Schools
- Policy T3 - Footpaths

5. Other material considerations

5.1 The National Planning Policy Framework (NPPF 2023)

The NPPF policy guidance of particular relevance to this proposal includes:

- Section 2: Achieving sustainable development
- Section 8: Promoting healthy and safe communities
- Section 12: Achieving well-designed and beautiful places.
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 16: Conserving and enhancing the historic environment

5.2 Planning Practice Guidance

This national document provides additional guidance to ensure the effective implementation of the planning policy set out in the National Planning Policy Framework. The guidance sets out relevant guidance on aspects of flooding, air quality, noise, design, the setting and significance of heritage assets, landscape, contaminated land, Community Infrastructure Levy, transport assessments and travels plans, supporting the policy framework as set out in the NPPF.

5.3 National Design Guide

This is a document created by government which seeks to inspire higher standards of design quality in all new development.

5.4 The Planning (Listed Buildings and Conservation Areas) Act 1990.

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty for local authorities to have special regard to Listed Buildings and Conservation Areas. Section 66 (1) of the Act refers to the desirability of preserving Listed Buildings, the setting of Listed Buildings and the features of special architectural and historic interest which it possesses whilst Section 72(1) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

5.5 Design Supplementary Planning Document (January 2020)

This document sets out the Borough Council's expectations in terms of securing high quality design in all new development. Schemes should respond well to local character, have positive impacts on the environment and be adaptable to meet future needs and provide spaces and buildings that help improve people's quality of life.

5.6 Leicestershire Highways Design Guide

The purpose of the guidance is to help achieve development that provides for the safe and free movement of all road users, including cars, lorries, pedestrians, cyclists and public transport. Design elements are encouraged which provide road layouts which meet the needs of all users and restrain vehicle dominance, create an environment that is safe for all road users and in which people are encouraged to walk, cycle and use public transport and feel safe doing so; as well as to help create quality developments in which to live, work and play. The document also sets out the quantum of off-street car parking expected to be provided in new housing development.

5.7 Conservation of Habitat and Species Regulations 2010 (as amended)

The Council as Local Planning Authority is obliged in considering whether to grant planning permission to have regard to the requirements of the Habitats Directive and Habitats Regulations in so far as they may be affected by the grant of permission. Where the prohibitions in the Regulations will be offended (for example where European Protected Species will be disturbed by the development) then the Council is obliged to consider the likelihood of a licence being subsequently issued by Natural England.

5.8 Equality Act 2010

Section 149 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality.

5.9 The Draft Charnwood Local Plan 2021-37

This document sets out the Council's strategic and detailed policies for the Borough over the period 2021-37. The local plan was submitted for examination in December 2021 with hearings concluding in February 2023. Further hearings are to be held in February 2024 on limited matters following on from the consultation on the post hearing submissions which closed on 8th November 2023. Following the further hearings, it is anticipated that the Inspectors will issue a letter setting out the requirement for main modifications to be made to make the plan sound. These modifications will be published for six weeks of public consultation so that the responses can assist the Inspectors in preparing their final report. The precise timings of these events are dictated by the Inspectors although, subject to their report, it is anticipated the Local Plan will be adopted by the Council in Autumn 2024.

In accordance with NPPF paragraph 48, the relevant emerging policies in the plan may be given weight in determining applications, according to: (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater weight it may be given); (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); (c) the degree of consistency of the relevant policies in the emerging plan to the NPPF (the closer the policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given). The following policies are considered applicable to this application, and the weight they can be assigned is addressed below:

- Policy DS1: Development Strategy – Limited Weight
- Policy DS5: High Quality Design – Moderate Weight
- Policy SC1: Service Centres – Moderate Weight
- Policy T2: Protection of Community Facilities – Limited Weight
- Policy T3: Car Parking Standards – Limited Weight
- Policy CC1: Flood Risk Management – Limited Weight
- Policy EV6: Conserving and Enhancing Biodiversity and Geodiversity – Moderate Weight
- Policy EV8: Heritage – Moderate Weight
- Policy EV9: Open Spaces, Sport and Recreation – Moderate Weight

5.10 Planning Guidance for Biodiversity June 2022

This planning guidance seeks to provide further clarification to Core Strategy Policy CS13 insofar as ensuring development proposals secure biodiversity net gain on-site to contribute towards the overall sustainability of development proposals.

6. Relevant Planning History

Reference	Description	Decision & Date
Whilst there is extensive planning history for the school site, it is of no direct relevance to this planning application other than the following:		
P/18/0367/2	Siting of storage container within playing field.	Permission Granted – 26 April 2018

7. Responses of Consultees & Other Comments Received

7.1 The table below sets out the responses that have been received from consultees with regard to the application. Please note that these can be read in full on the Council's website www.charnwood.gov.uk

Consultee	Response
Leicestershire County Council – Highways	Following the removal of Area 3 from the application which impacted public footpath K39, LCC Highways have no objections, subject to condition and informatives regarding public footpath K38 adjacent Area 4.

Environment Agency	No objection subject to conditions, to avoid risk of increasing flood risk to other areas.
Sport England	No objections, the minor encroachment of fencing will not reduce the sporting capability of the site.
Charnwood Ecology	No objections.
Charnwood Trees	No comments received at the time of writing the report.
Charnwood Conservation	The nature of the work and the proximity of these designated heritage assets would mean that there is no adverse impact.

Ward Councillor and Parish Council Response	
Cllr Richard Shepherd	Called in to Plans Committee for the following reasons: <ul style="list-style-type: none"> • Potential loss of daylight • Design • Overbearing impact arising the development • Potential highway impact
Cllr Jane Hunt	No response received.
Quorn Parish Council	No response received.
From	
Comments	
Four letters of objection received from four addresses	<ul style="list-style-type: none"> • Visual appearance and amenity. • Maintenance of fence and vegetation.

8. Consideration of the Planning Issues

- 8.1 The starting point for decision making on all planning applications is that they must be made in accordance with the adopted Development Plan unless material considerations indicate otherwise. The most relevant policies for the determination of this application are listed above and are contained within the Development Plan for Charnwood which comprises the Core Strategy (2015) and those “saved” policies within the Borough of Charnwood Local Plan 1991-2026 (2004) which have not been superseded by the Core Strategy (2011-2028), Minerals and Waste Local Plan (2019) and within the Quorn Neighbourhood Plan (2019).

8.2 The main planning considerations applicable to this application are considered to be:

- Principle of development
- Design & Layout
- Impact on residential amenity
- Biodiversity
- Highway matters
- Flooding and drainage

9. Key Issues

9.1 Principle of the Development

9.1.1 The principle of development is guided by local plan policies CS1 of the Charnwood Core Strategy (2015) Policy CS1 of the Core Strategy, which outlines the development strategy for the borough and the distribution of sustainable growth.

9.1.2 Saved Local Plan Policy ST/2 and Proposals Map of the Charnwood Local Plan identify Limits to Development for various settlements in the Borough. Being a more recent part of the Development Plan, Policy S1 of the Quorn Neighbourhood Plan (2019) supersedes the settlement limits for Quorn. The site is located within the defined settlement limits. Policy DS1 of the Emerging Local Plan also supports sustainable development within defined settlement boundaries.

9.1.3 The proposed development is for ancillary purposes to secure the perimeter of the school. There would be no intensification of the lawful use, and the development would not affect the use of the school site. Because the site is located within the limits to development for Quorn, there is a presumption in favour of sustainable development.

9.1.4 Consequently, the principle of development is supported, subject to consideration of other relevant policies and subject to further assessment as outlined in the latter sections of this report.

9.2 Design and Layout

9.2.1 Policy CS2 of the Core Strategy requires new developments to respect and enhance the character of the area and saved policy EV/1 supports development that is of a design, scale, layout and mass compatible with the locality, and which uses materials appropriate to the locality. Neighbourhood Plan Policy D2 'Design' seeks to reinforce local distinctiveness and supports contemporary or innovative design where it makes a positive contribution to the character of the area and is compatible with the surrounding historic context.

9.2.2 Policy DS5 of the emerging Charnwood Local Plan addresses design and requires development to respect and enhance the character of the area, having regard to scale, density, massing, height, landscape, layout, materials.

- 9.2.3 The proposed fencing would measure 2.4m in height and would be a metal mesh painted green. The design would be functional, and the green colour would help to minimise the visual impact of the proposed development upon the street scene, as the fence would be positioned, in most cases, adjacent to a hedgerow.
- 9.2.4 The gates at the Orchard Estate entrance would be a continuation of this design and would appear near seamless extending from the fencing. The small areas of hardstanding would be within the school complex by a significant margin and would be viewed in the context of land used carpark and servicing activities. Within this context it would not appear unattractive or detract from appearance overall.
- 9.2.5 The relocated container would be in the east extremity of the site within the playing field. It is small scale and in this location not prominent to public views , and would be associated with the introduction of new landscaping and as such will not be significant in terms of visual amenity.
- 9.2.6 It is considered a proposal that complies with policies S2 if the Neighbourhood Plan, CS2 of Charnwood Core Strategy, EV/1 of the Local Plan and the Charnwood Design SPD and emerging Local Plan Policy DS5.

9.3 Impact on Residential Amenity

- 9.3.1 Policies CS2 of the Core Strategy and EV/1 of the Local Plan seeks to protect the amenity of existing and future residents. The Charnwood Design SPD (2020) also provides spacing standards and guidance to ensure an adequate level of amenity. Saved policy EV/1 of Local Plan and policy CS2 of Core Strategy require high quality design that does not impact on the amenity of adjacent properties or create poor standards of amenity for future occupiers.
- 9.3.2 Emerging Draft Local Plan Policy DS5 states that new development will be required to protect the amenity of people who live or work nearby and those who live in the new development.
- 9.3.3 Objections have been received raising concerns for the visual amenity of the area, introducing in some places a parallel row of fencing. It is unclear where this is thought to take place.
- 9.3.4 The proposed fencing would provide a secure perimeter for the school site in line with their safeguarding requirements. This is considered to be a positive impact of the development for the users of the site.
- 9.3.5 The fencing would form the perimeter of the school site, which touches the boundaries of many properties in Quorn.
- 9.3.6 Area 1, affecting neighbouring properties to the south, has been removed from the application.

- 9.3.7. Area 2 relates to the fencing to the west of the application site and would be roughly 15m from the neighbouring properties on Sarson Street and Orchard Estate. The proposed 2.4m high fencing would sit behind the existing 2.0m high security fencing. The fencing within this area would be internal site fencing and would not adjoin the neighbouring properties. Therefore, due to the siting of the proposed fencing, there are not considered to be any additional impacts to the neighbouring occupants on Orchard Estate or Sarson Street.
- 9.3.8 The fence, due to its mesh structure would not block a significant amount of light, and the height of the fence at 2.4m high would be of a similar scale as the surrounding residential boundary treatments and would be sufficiently distanced from the residential properties so as not to result in any significant overbearing impacts.
- 9.3.9 Area 3 has been removed from the application.
- 9.3.10 Area 4 relates to the area surrounding the playing field. It is proposed to install 2.0m high fencing along the east side of the field, adjacent to neighbouring properties on Swinfield Road, Station Road, and no.37 Mansfield Street. The proposed fencing at 2.0m in height is considered to be commensurate to the residential fencing that can be found elsewhere in this area. the presence of trees and shrubs on this boundary would also screen the fence from view.
- 9.3.11 To the north, west and south of the playing field, 2.4m fencing is proposed. To the north of Area 4 is one block of apartments on Peter McCaig Way, and Meynell Road, an area of scrubland lies between the part of the playing field and Meynell Road. No.19 Peter McCaig Way is the sole residential property located along the northern boundary of the site. The two sites are currently separated by a 2.0m high mesh fence and a hawthorn fence. This property sits perpendicular to the fencing, and the proposed fencing is not considered to result in any significant additional adverse impacts over and above the existing situation.
- 9.3.12 To the west of Area 4 is Barrow Road, Prevost Gardens, and Castledine Avenue. There are no neighbouring properties on Barrow Road that adjoin the application site. Prevost Gardens is a small cul-de-sac of four bungalows. The current boundary treatment consists of a mix of trees and hedgerows, the proposed fencing here would be tight to the hedgeline and 2.4m in height. The fencing is not considered to cause any significant adverse impacts due to the mesh construction of the fence, which allows light and views through the fence. Although the plots on Prevost Gardens are relatively small, it is not considered that the proposed fencing would prove to be significantly overshadowing to these properties. The 2.4m high fencing to the rear of the properties on Castledine Avenue is not considered to cause any significant harm to the amenity of these neighbouring properties due to the relatively large size of these plots, and a 1.0m set back from the boundary would further reduce any impacts.

- 9.3.13 Concern has been raised in regard to the maintenance of the hedgerows forming the site boundary. The ownership of the hedgerows has not been indicated on the application form. Nevertheless, the proposed fencing would not prevent access to the hedge, as each panel can be individually removed to allow access. Furthermore, the fence would be positioned on an appropriate side of the hedgerows surrounding the field to allow proper access and maintenance. This is considered to be a civil matter.
- 9.3.14 Concern has been raised in regard to the height of the fence along the eastern border of the playing fields. This portion of the fence has subsequently been reduced from 2.4m to 2.0m in height, which is within the scope allowed as 'permitted development' (see para 3.3 above).
- 9.3.15 The proposal would, therefore, comply with the provisions of policies CS2 of Charnwood Core Strategy and EV/1 of Local Plan and DS5 of the emerging Local Plan, along with NPPF, National Design Guidance and the guidance set out in the Design SPD to protect residential amenity.

9.4 Biodiversity and Trees

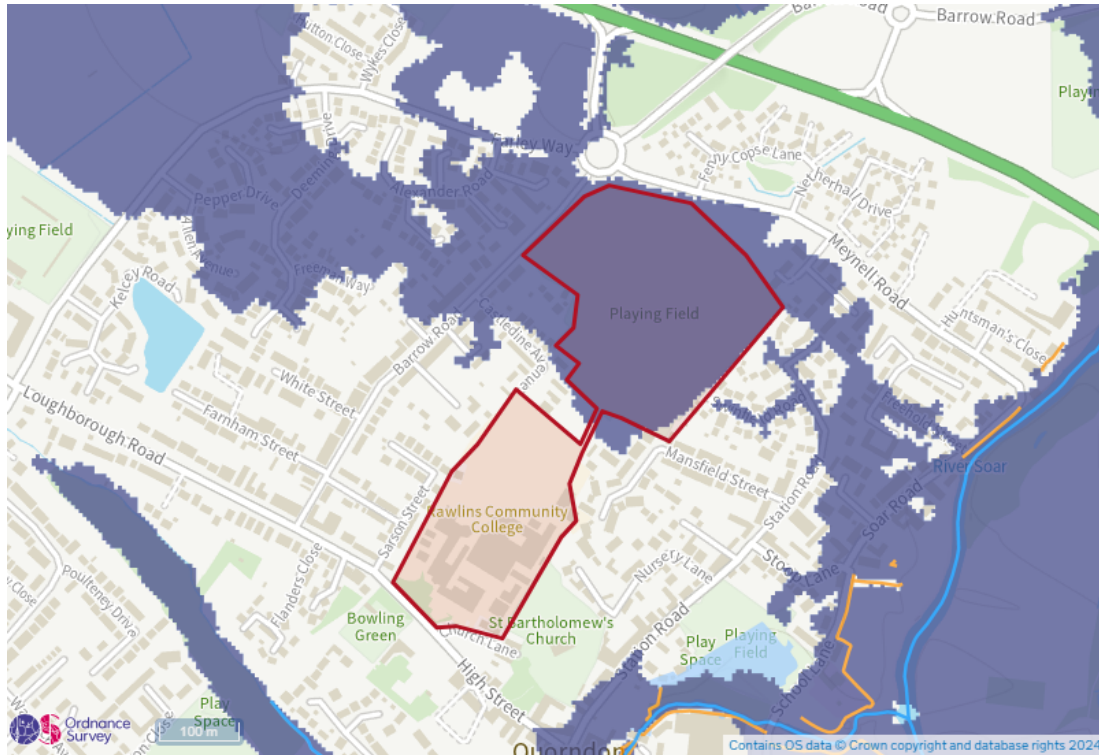
- 9.4.1 Policy CS13 seeks to conserve and enhance the natural environment with regard to biodiversity and ecological habitats. Policy EV6 of the Emerging Local Plan Emerging seeks 10% biodiversity net gain and the protection and enhancement of habitats, species and networks. Although the Environment Act 2021 makes provision for 10% biodiversity net gain, the relevant sections of the Act have not yet been brought into force to make it a legal requirement and is not currently required by national policy. Therefore, emerging Local Plan policy EV6 can be given only moderate weight until the emerging policy is further progressed towards adoption.
- 9.4.2 The proposals include the removal of a single, immature tree, from the part of the site close to the Orchard Estate entrance, but the planting of 10 trees in the eastern extremity of the site, part of the playing fields that form 'area 4'. A tree report submitted with the application reviews the condition of all trees within the school campus and recommends the removal of 2 elders which affect the use of an internal footpath, but these works are not associated with the proposed development.
- 9.4.3 The Council's Ecologist has confirmed that there would be no material concerns in regard to biodiversity and a biodiversity impact assessment would not be required in this instance. The details to allow sufficient permeability to the site for hedgehogs could be satisfactorily addressed by detailed measures secured through a planning condition.
- 9.4.4 Consequently, the proposal, subject to the imposition of planning conditions is considered acceptable and would comply with policy CS13 of the Charnwood Local Plan 2006-2028 Core Strategy and Policy EV6 of the Emerging Local Plan Emerging.

9.5 Highway Matters

- 9.5.1 Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan seeks to ensure safe access is provided to new development and policy CS17 is concerned with encouraging sustainable transport patterns. As a result, it is not considered that there is a need to reduce the weight that should be given to them. Paragraph 115 of the NPPF seeks to ensure new development does not result in an unacceptable impact on highway safety, or a severe residual cumulative impact on the road network. Paragraph 112 of the NPPF seeks to promote sustainable travel choices.
- 9.5.2 Policy T3 of the Emerging Local Plan sets out that the local planning authority will ensure that there is an adequate provision for all users of residential and non-residential parking in the Borough by requiring new development to provide car parking spaces in accordance with the latest published guidance of Leicestershire County Council and Charnwood Borough Council, as well as requiring that parking infrastructure is well designed and in suitable and sustainable locations.
- 9.5.3 Rawlins Academy is accessed by vehicle from Church Lane, and Orchard Estate. The site can also be accessed from the network of footpaths K38 and K39, which lead from Mansfield Street and the St Bartholomew's Churchyard.
- 9.5.4 Public Footpath K38 runs adjacent to Area 4 of the proposed development. Whilst the Local Highways Authority are satisfied that the use and enjoyment of Public Footpath K38 will not be significantly affected by the proposed development reference should be made to the informative section below.
- 9.5.5 Consequently, the proposed development is considered to be in accordance with Policies CS2 and CS18 of the Core Strategy and TR/18 of the Local Plan, which seek to ensure safe access is provided to new development, Policy CS17 is with regard to encouraging sustainable transport patterns and emerging Local Plan Policy T3.

9.6 Flood risk and drainage

- 9.6.1 Policy CS16 and NPPF direct development away from areas at highest risk of flooding.
- 9.6.2 Policy CC1 of the Emerging Local Plan sets out how the Local Planning Authority will manage flood risk by directing development to areas in the Borough with the lowest risk of flooding (Flood Zone 1, applying the sequential test and exception test where necessary).
- 9.6.3 The development is situated across Flood Zones 1, and 3 and being at both low and high risk of fluvial flooding as identified by the Environment Agency flood maps. The installation of fencing, is not considered to affect the risk of flooding in the area ,or the risk to people.



9.6.4 The proposed development has been reviewed by the Environment Agency, who have no objection to the proposed development. The fencing would be permeable in nature in case of flooding and would not prohibit the flow of water. It is proposed to condition the planning application to the proposed plans in order to avoid the risk of increasing flooding to other areas.

9.6.5 Consequently, the proposal is considered acceptable having regard to Policy CS16 of Charnwood Core Strategy, emerging Local Plan Policy CC1 and the NPPF.

9.7 Heritage

9.7.1 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Paragraphs 205 – 210 of the NPPF set out guidance as to how planning applications need to consider the potential impacts of heritage assets and states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset's conservation. Where there is less than substantial harm to the significance of a heritage asset, the harm should be weighed against the public benefits.

9.7.2 Policy CS14 of the Core Strategy states that we will conserve and enhance historic assets for their own value and requires that proposals protect heritage assets and their settings. Emerging Local Plan Policy EV8 expresses similar requirements.

9.7.3 Whilst the application site is located within the Quorn Conservation Area, none of the development proposed would take place within or adjacent to the Quorn Conservation Area.

9.7.4 Quorn Conservation Area was designated in August 1977 and extended in January 1991. It covers an area of about 47.5 ha. Quorn was described in Pigot's Commercial Directory of 1841 as "a neat and thriving village" and the boundaries of the Conservation Area generally define the extent of the settlement as it existed at the start of the 20th century.

9.7.5 The main contributions to the special character of Quorn Conservation Area are:

- The variety and contrast between the tightly enclosed buildings against the streets with the many public and private open spaces;
- The many views of the church tower;
- The proximity to the River Soar, Buddon Brook and their associated woods and meadows with opportunities for wildlife and the expansive vistas beyond the village;
- The importance of Quorn Hall and Quorn House as individual buildings in their own parkland settings.
- The history of the parish church and its churchyard, with their approaches by footpaths and the narrow streets of Church Lane and Nursery Lane; and
- The landmark of Quorn Mill as a reminder of the industrial heritage of the village.

9.7.6 Since the development no longer affects the setting of the Quorn Conservation Area, there would be no impacts, it can be considered that the development would preserve the character and appearance of the Quorn Conservation Area.

9.7.7 The church of St Bartholomew and Farnham Chapel is located roughly 60m to the south-east of the school site, the two areas are separated by a palisade steel security fence which is interspersed with trees and shrubs, with the cemetery extension also being located between the two sites. The church is Grade I Listed.

9.7.8 Due to the separation of the development from the church, there would be no impact upon the setting of the Church. The cluster of bulky concrete, and often unsightly school buildings separate the proposed development from the Church. The comments of the Council's Conservation Officer are informative in this respect (see section 7 above).

9.7.9 The application has therefore been considered against the heritage tests set out in planning legislation and guidance. The Planning (Listed Buildings and Conservation Areas) Act 1990 and applicable National and local policy

9.7.10 It is not considered that the development results in harm to the significance of the designated heritage assets, that of the Quorn Conservation area and the setting of the nearby listed building. The proposal therefore accords with Policies CS2, CS14 of the Core Strategy, and the relevant sections of the NPPF as relating to assessing design and impact to heritage assets, and also with Policy EV8 of the Emerging Local Plan.

10. Conclusion

- 10.1 There are no technical constraints relating to highways, or flooding that cannot be mitigated, biodiversity impact mitigation can be secured by way of planning condition. There would be no harm to heritage assets.

11. Recommendation

11.1 RECOMMENDATION:

To grant planning permission conditionally subject to the imposition of the following draft conditions and reasons and that the Head of Planning and Growth, in consultation with the Chair of the Plans Committee for amendments to the conditions and reasons, be given delegated authority to determine the final detail of planning conditions.

11.2 Recommended conditions:

1. Works shall commence within three years of the date of this permission.

REASON: In order to comply with the requirements of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and details:

- Site Location Plan – Drg. No. J4836-01 - received 13 April 2022
- 'ymd boon' 'Area 2 Plan' drawing (reference J4836-58 Rev. A) - dated 30th August 2022
- 'ymd boon' 'Area 4 Plan' drawing (reference J4836-60 Rev. E) - dated 7th February 2023
- J4836-90, dated August 2021, titled '2.4m Fence Elevations', and compiled by YMD Boon Architects & Construction Consultants – painted Green RAL 6005 – received 17 February 2023
- J4836-90, dated August 2021, titled '2.0m Fence Elevations' and compiled by YMD Boon Architects & Construction Consultants – painted Green RAL 6005 – received 17 February 2023

REASON: To provide certainty and define the terms of the permission in accordance with Development Plan policy CS2 of Charnwood Development Plan (2011-2028), Saved Policies EV/1 of Charnwood Local Plan (2004), Design SPD and the NPPF.

3. Notwithstanding the approved plans, a gap measuring at least 13cm x 13cm shall be provided at the base of the fencing, with at least one gap every 8.0m, surrounding the playing field (Area 4), to permit the free movement of small mammals.

REASON: In the interests of safeguarding the biodiversity of the area in accordance with Policy CS16 of the Core Strategy (2015) and Policy EV6 of the Emerging Charnwood Local Plan 2021-37.

APPLICATION SITE

