

Delegated Report

Planning Ref: 24/00664/FUL
Applicant: Kate Clark
Ward: Barwell



Hinckley & Bosworth
Borough Council

Site: 47 High Street, Barwell, Leicester, Leicestershire

Proposal: Replacement Shopfront

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

2.1. The proposal seeks full planning permission for the Demolition / Removal of the existing Shop Front and Proposed upgrade with a new Shop Front at No. 47 High Street, Barwell.

2.2. The proposal is to upgrade the existing Shop Front. The proposed materials will be constructed of timber with new glazing and designed to be in keeping with other Traditional Shop Fronts to respect the Conservation area and immediate surroundings.

2.3. The Shop Front will consist of Traditional details:

- Timber Cornice detailing with lead flashed capping
- Timber Blanked Fanlight
- Timber Fascia
- Timber Capital
- Timber Pilaster
- Timber Plinth base
- Timber Stall Rise

2.4. The Shop front will be finished in either a Black finish RAL 9107 or a Green finish RAL 6011. The application is accompanied by a Heritage Statement.

3. Description of the Site and Surrounding Area

3.1. The site is in the Conservation Area & relates to a 2 storey brick built mid terraced building with existing shopfront on ground floor and well-proportioned upper floor windows with decorative eave features.

3.2. The site is located on the High Street of Barwell. The existing building is used as an office by ICAN whom provide a Care and Support service to the local community. The application site sits within other retail, commercial businesses and Residential housing and is central to Barwell village. The existing shop front consists of a silver metal frame supporting the glazing with existing pilasters either side of the glazing, low level brick plinth and existing signage above. The existing shop front is a poor example of a modern shop front and detracts from the character of the conservation area.

4. Relevant Planning History

None relevant

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press. No comments have been received as a result of the publicity.

6. Consultation

- 6.1. No objection has been received from the Borough Councils Conservation Officer.
- 6.2. Barwell Parish Council- No comments received.

7. Policy

- 7.1. Core Strategy (2009)

- Policy 3 : Development in Barwell

- 7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM 23: High Quality Shop Fronts and Advertisements

- 7.3. Earl Shilton and Barwell Area Action Plan 2006 – 2026 (ESBAAP) (2014):

- Policy 22: Development and Design

- 7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)
- Planning (Listed Buildings and Conservation Areas) Act 1990

- 7.5. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Barwell High Street Conservation Appraisal (2010)
- Shopping and Shopfronts SPD (2007)

8. Appraisal

- 8.1. Key Issues

- Design and impact upon the character of the conservation area
- Impact on Residential Amenity

Design and impact upon the character of the conservation area

- 8.2. Policy DM10 of the SADMP requires new development to complement or enhance the character of the surrounding area with regards to scale, layout, density, mass, design, materials and architectural features.

- 8.3. Policy DM23 of the SADMP states that to maintain high levels of design and ensure local distinctiveness, the Borough Council will grant planning permission for new and refurbished shop fronts where they reflect the local style and materials of the host building and immediate area. Replacement or significant alteration of existing shop fronts would only be found acceptable where it would preserve or enhance the character of the heritage asset.
- 8.4. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced and proposals which seek to improve neutral and negative areas inside conservation areas, which also lead to the overall enhancement of the conservation area, will be supported.
- 8.5. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.6. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraph 193 of the NPPF 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.
- 8.7. 47 High Street is located within a late-Victorian era terrace. Whilst originally a dwelling there has most recently been a commercial use on the ground floor with a modern inserted shopfront along its width. The building is identified as a significant local building within the Barwell (High Street) Conservation Area Appraisal, which is largely due to its historic interest and group value of the terrace given that the architectural interest of the building has been severely diminished with the insertion of the poor quality and uncharacteristic modern shopfront.
- 8.8. The proposal is to replace the existing shop front with a timber framed shopfront of traditional proportions, detailing and construction materials that would be typical of a shopfront from the late-Victorian period. Two colour options are presented for the final finish of the shopfront, both of which would follow a traditional colour palette (although there is a slight preference for the green). Overall, the replacement of the existing with a higher quality and traditionally detailed shopfront is much welcomed and would reinstate an element of architectural interest to the building, leading to an enhancement of its significance and that of the wider conservation area.
- 8.9. Subsequently, the proposal complies with Policies DM10, DM11 DM12 and DM23 of the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact on Residential Amenity

- 8.10 Policy DM10(a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.
- 8.11 Policy 22 of the ESBAAP requires development to ensure that it does not adversely affect the privacy and amenity of nearby residents, and that the activities in the

vicinity of the site do not adversely affect the amenity of the occupiers of the proposed scheme.

8.12 Its considered the proposal will improve the design of the building and would not increase any potential impacts of overlooking, loss of light, loss of privacy, or any overbearing impacts to neighbouring residential properties.

8.13 The proposal is not considered to result in any significant adverse impacts to the residential amenity of neighbouring residents, nor the future occupiers of the scheme in accordance with Policy DM10 of the SADMP and Policy 22 of the ESBAAP.

9. Equality Implications

9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2. Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.

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

9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

10.1. The proposal is for a site located within the settlement boundary of Barwell. As such, there is a presumption in favour of sustainable development under Policy DM1 of the SADMP, as long as the proposal is in accordance with the relevant policies of the SADMP.

10.2. The proposal would have a positive impact upon the character and appearance of the existing premises at the front. It would therefore preserve and to a degree enhance the significance of the wider Barwell Conservation Area. As such, the proposal is in accordance with Policies DM1, DM10, DM11, DM12 and DM23 of the SADMP, section 16 of the NPPF and the statutory duty of Section 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Recommendation

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

- Planning conditions outlined at the end of this report.

11.2. **Conditions and Reasons**

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

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Proposed plans and Block Plan elevations ref no. AVD-828-HSB-PL01 received 4th July 2024

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

11.3. **Notes to Applicant**

- 1) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
- 2) Either colour finish is judged to be acceptable by the LPA, however, there is a slight heritage preference for the green RAL 601 option.