

# Planning Statement

**In support of a Full Planning Application for a Change of Use from *Sui Generis* (Wine Bar) to Retail (Use Class E(a)) with ancillary facilities and retention of residential flat.**

**Site Address:** 3 Chapel Street, Barwell, LE9 8DE

**Date:** August 15, 2025

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## 1.0 Introduction

1.1 This Planning Statement has been prepared to support a full planning application for the proposed change of use at the property known as 3 Chapel Street, Barwell, LE9 8DE.

1.2 The proposal is for a pure change of use of the ground floor from a *sui generis* (wine bar) to a retail shop, to be known as "Super Store Barwell" (Use Class E(a)). The first floor will be converted from an ancillary function room to ancillary staff facilities for the retail unit. The existing second-floor manager's flat (Use Class C3) will be retained.

1.3 This statement demonstrates that the proposal represents a sustainable and appropriate form of development that fully complies with the strategic objectives of the Hinckley & Bosworth Core Strategy, the specific policies of the Site Allocations and Development Management Policies (SADMP) DPD, and the National Planning Policy Framework (NPPF).

## 2.0 The Site and Surroundings

2.1 The application site comprises a late-19th Century brick building located at 3 Chapel Street, Barwell. The property is situated on a mini-roundabout with a one-way exit, giving it a prominent position in the street scene.

2.2 The site is located within the **Barwell Local Centre boundary**, as defined by the Hinckley & Bosworth Local Plan. This is a sustainable location where commercial uses are actively encouraged to support the vitality of the centre.

2.3 The property lies immediately adjacent to the southern edge of the Barwell Conservation Area. As such, the setting of this designated heritage asset is a material consideration in the assessment of the proposal.

## 3.0 The Proposed Development

3.1 The application seeks planning permission for a pure change of use. It is important to note that **no external or internal alterations are proposed**. The physical appearance and fabric of the building will remain entirely unchanged.

3.2 The proposal involves the change of use of the ground floor from a *sui generis* wine bar to a retail shop (Class E(a)). The first floor will change from an ancillary function room to

ancillary staff facilities to serve the new retail unit. The existing manager's flat (Use Class C3) on the second floor will be retained.

3.3 This application is required only because the previous lawful use as a wine bar falls into the *sui generis* category and is not part of the flexible Class E, which allows for changes between various commercial uses without the need for planning permission.

## **4.0 Planning Policy Assessment**

### **4.1 Principle of Development and Town Centre Vitality**

4.1.1 The application site is located within the Barwell Local Centre, where planning policy is supportive of appropriate commercial development that enhances the vitality and viability of the area. Policy DM22 of the SADMP, which relates to Vitalising District, Local and Neighbourhood Centres, actively supports Class E uses at the ground floor. The proposal for a Class E(a) retail shop directly complies with and furthers the objectives of this policy.

4.1.2 The proposal will see one town-centre commercial use replaced by another, more conventional retail use. The introduction of an active retail frontage for "Super Store Barwell" in place of a potentially vacant wine bar will positively contribute to the footfall and vibrancy of the Barwell Local Centre. The proposal does not involve the loss of a protected community facility in a manner that would conflict with policy DM25.

### **4.2 Design, Character, and Heritage Impact**

4.2.1 As this is an application for a pure change of use with no physical works, the proposal will have no impact on the form, massing, or materials of the host building. The external appearance of the late-19th Century brick building will be preserved in its entirety.

4.2.2 The site's location adjacent to the Barwell Conservation Area makes heritage a key consideration. However, as no physical alterations are proposed, the development cannot alter the building's physical relationship with the Conservation Area. The change in commercial activity from a wine bar to a retail shop is subtle and is highly unlikely to be considered harmful to the setting of the designated heritage asset. The proposal therefore preserves the character and setting of the Conservation Area.

### **4.3 Residential Amenity**

4.3.1 The proposal offers a significant planning benefit through the marked improvement of residential amenity for neighbouring properties. The established lawful use of the premises is a late-night wine bar, with the associated potential for amplified music, customer congregation, and late-night activity extending into unsociable hours.

4.3.2 In contrast, the proposed Class E retail use will operate during standard daytime hours. This represents a substantial de-escalation of activity and noise generation, particularly during the evening and night-time. The cessation of the late-night bar use removes a primary source of potential noise and disturbance, resulting in a clear and demonstrable improvement to the amenity of neighbouring residents.

#### **4.4 Highway Safety, Access, and Parking**

4.4.1 In terms of highway safety, it is noted that a Class E retail use generates lower evening peak trips than a bar use. While daytime trips may differ, the overall impact on the local road network is unlikely to be more severe than the established lawful use.

4.4.2 In respect of parking, the proposal technically fails to meet the LHDG parking standards as there is no on-site parking. However, this is overcome by the powerful material consideration of the **lawful fall-back position**. The existing lawful use as a busy wine bar also operates with zero on-site parking. It is a well-established planning principle that a new use cannot be refused on parking grounds if it does not materially increase the severity of the existing situation.

4.4.3 The presence of 4-5 public, short-stay echelon bays on the property's frontage and additional free parking nearby further supports the case that the change of use will not create a new or worsened parking problem.

#### **5.0 Conclusion**

5.1 This statement has demonstrated that the proposed change of use fully aligns with the aims and requirements of the Hinckley & Bosworth Local Plan. The proposal satisfies the key policy tests regarding the principle of development, town centre vitality, heritage, amenity, and transport.

5.2 The proposal is strongly supported by local planning policy, specifically Policy DM22, which encourages active retail uses within the designated Barwell Local Centre.

5.3 Furthermore, the change from a late-night bar to a daytime retail shop represents a clear and demonstrable improvement for the amenity of nearby residents by removing a primary source of potential noise and disturbance.

5.4 As a pure change of use with no works, the proposal inherently preserves the character of the building, the street scene, and the setting of the adjacent Conservation Area.

5.5 The technical failure to meet parking standards is effectively mitigated by the lawful precedent of the existing wine bar use, which also has no on-site parking, establishing a robust fall-back position.

5.6 In summary, the proposed development will make a positive contribution to the vitality of Barwell Local Centre while significantly improving residential amenity. For the reasons set out above, we respectfully request that planning permission is granted.