

Delegated Report

Planning Ref: 24/00437/LBC

Applicant: Mr William Crawford

Ward: Barlestone Nailstone And Osbaston



Hinckley & Bosworth
Borough Council

Site: Elmside Farm 2 Barton Lane Nailstone

Proposal: Replacement of three sash windows, on the upper floor of the front elevation of the house, with three casement windows

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 application seeks full planning consent for the replacement of three sash windows, on the upper floor of the front elevation of the house, with three casement windows at Elmside Farm, 2 Barton Lane, Nailstone.

The proposed windows would be in a 3-light arrangement with central opening casements, consist of horizontal glazing bars to match the style of the original windows, traditional ovolo moulding and Timber material (accoya or sapele) for the windows finished in white paint.

3. Description of the site and surrounding area

3.1. The application site relates to a two-storey detached residential dwelling situated within the settlement boundary of Nailstone. The site is situated on a corner plot to the north of Barton Road, adjacent to the site sits the junction for Ibstock Road and Main Street.

3.2. Elmside Farmhouse is a grade II listed building which dates from the late-18th century. The listed building entry (National Heritage List England (NHLE) ref 1307254) identifies the building as a "Farmhouse. Late C18 to early C19. Brick with Welsh slate roof. The oldest section fronts the street, 2 storeyed, 2 unit plan with 2-light casement windows in front wall, canted bay and 12 pane sashes in gable. Axial stack. Rear wing of slightly later date, with four panelled door beneath a canopy on console in the angle, and three 3-light casement windows beyond. Six pane sashes above. Axial stack."

4. Relevant planning history

06/00250/COU

- CHANGE OF USE FROM FARMYARD TO MENAGE
- PER
- 20.04.2006

07/00649/CLU

- CERTIFICATE OF LAWFUL EXISTING USE FOR A MANEGE AND EXISTING ACTIVITY OF DIY LIVERY
- CLUSPL

- 09.08.2007

08/00112/CLU

- CERTIFICATE OF LAWFUL EXISTING USE FOR EXISTING ACTIVITY A LIVERY BUSINESS FOR A MAXIMUM OF 21 HORSES
- CERTLE
- 14.04.2008

20/00473/FUL

- Conversion of agricultural building to residential annexe, alterations
- PER
- 17.02.2021

20/00474/LBC

- Conversion of agricultural building to residential annexe, alterations
- LISTED
- 17.02.2021

21/00229/DISCON

- Application to discharge condition 4 (photographic survey) attached to planning permission 20/00474/LBC
- DISCHA
- 23.03.2021

90/01058/4

- CONVERSION OF BARNs TO THREE DWELLINGS AND SUBDIVISION OF HOUSE INTO TWO DWELLINGS
- REF
- 20.11.1990

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.
- 5.2. No objections have been received.

6. Consultation

6.1. Nailstone Parish Council;

- 6.2.
 - No objections have been received.

6.3. HBBC Conservation Officer;

“The existing sash windows proposed to be replaced are of some heritage interest, however evidence demonstrates that there is an opportunity to reintroduce the original window style and enhance the character of the building. It is therefore

considered that the proposed replacement of the existing sash windows can be justified subject to a suitable specification.

A replacement window specification and drawing has been provided which confirms a:

- *3-light arrangement with central opening casements*
- *Use of horizontal glazing bars to match the style of the original windows*
- *Use of traditional ovolo moulding*
- *Timber material (accoya or sapele) for the windows finished in white paint*

Overall, it is considered that the replacement windows are suitably specified, and they would have a traditional character and appearance that respects the special interest of the listed building by reinstating an evidenced earlier style of window which is more contemporary with its original age. For these reasons it is considered that the proposal is compatible with the significance of the grade II listed building Elmside Farmhouse and consequently, the proposal complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Further details to ensure that the replacement windows have an appropriate appearance and that the significance of the listed building is preserved include:

- *ensuring they are fitted within the same window reveal position as existing*
- *ensuring no installation of trickle vents within the windows. Any additional ventilation measures, if required, should be positioned within the window frames to ensure they are unobtrusive.*

Please could these two requirements be applied within a suitably worded planning condition.”

6.4. Historic England:

- No objections have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 12: Rural Villages

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

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)

8. Appraisal

8.1. Key Issues

- Impact upon the special historic fabric and architectural interest and significance of the Grade II listed building and its setting

Impact upon the special historic fabric and architectural interest and significance of the Grade II listed building and its setting

- 8.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 8.4 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 8.5 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building.
- 8.6 This application comprises of a proposal to replace the three first floor six-pane sash windows set within the rear wing. Whilst these windows are of a traditional timber material and of an appearance that respects the historic and architectural interest of the listed building, photographic evidence demonstrates that these sash windows had been installed by the first half of the 20th century, replacing timber 3-light timber casement windows of the same style and proportions of those that currently remain in situ on the ground floor below.
- 8.7 The existing sash windows proposed to be replaced are of some heritage interest, however evidence demonstrates that there is an opportunity to reintroduce the original window style and enhance the character of the building. It is therefore considered that the proposed replacement of the existing sash windows can be justified subject to a suitable specification.
- 8.8 Overall, it is considered that the replacement windows are suitably specified, and they would have a traditional character and appearance that respects the special interest of the listed building by reinstating an evidenced earlier style of window which is more contemporary with its original age. For these reasons it is considered that the proposal is compatible with the significance of the grade II listed building Elmside Farmhouse and consequently, the proposal complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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.

10. Conclusion

10.1. By virtue of their design, scale and position the proposed windows are considered to be compatible with and would preserve the special architectural and historic interest and therefore significance of the grade II listed building, Cob Cottage, 36 Main Street, Newbold Verdon. The proposals are considered to be in accordance with Policies DM1, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are therefore recommended for listed building consent approval subject to conditions.

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 works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 6th May 2024.

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

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

- Site Location Plan
- Design and Access Statement
- Front Elevation
- Handle with night latch
- Heritage Statement
- Window Plan
- Window Dimensions

All as received by the Local Planning Authority on the 6th May 2024.

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

4. Notwithstanding the submitted plans, any replacement windows shall be fitted within the same window reveal position as the existing.

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

5. Notwithstanding the submitted plans, no installation of trickle vents shall be fitted within the windows. Any additional ventilation measures, if required, should be positioned within the window frames to ensure they are unobtrusive.

Reason: To preserve the special interest of the building in accordance with the requirements of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document (2016).

11.3 Notes to applicant

- a.) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.