

Delegated Report

Planning Ref: 25/01177/HOU

Applicant: Mr And Mrs Zuercher

Ward: Barlestone Nailstone And Osbaston

Site: 100B Main Street Nailstone Nuneaton



Hinckley & Bosworth
Borough Council

Proposal: Replacement windows and front door and new window opening to side elevation

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 permission for replacement windows alongside a front door. A new opening is also sought to the south-east (side) elevation of 100B Main Street, Nailstone.
- 2.2. The existing timber framed casements are to be replaced with UPVC 'timber effect' flush fitting casements. The existing timber front door is to be replaced with a composite vertical planked style door.

3. Description of the site and surrounding area

- 3.1. The application site comprises a residential plot in the Nailstone settlement boundary and Conservation Area. 100B Main Street is a recently constructed dwelling built as part of the previously approved development (see plot 2, reference 17/00730/FUL). It was designed to reflect the traditional characteristics of the conservation area including simple fenestration utilising timber materials. Details for the windows and doors were discharged as part of condition 9 of 17/00730/FUL and condition 12 removes permitted development rights under Class A of the Permitted Development Order for alterations to the dwelling to ensure that the development maintains a satisfactory appearance.
- 3.2. Access to the site is via a long private drive, and as a result views of the host dwelling from Main Street are limited. Both properties are read as a pair of similarly designed and finished dwellings within the street scene. Beyond the north of the application site is designed countryside. Land levels across the site are flat.

4. Relevant planning history

17/00730/FUL

- Demolition of existing dwelling, and erection of two dwellings, garages and associated drive
- Planning Permission
- 08.02.2018

20/00963/HOU

- Pergola to south-west elevation and replacement boundary treatment
- Planning Permission
- 19.03.2021

21/00407/CLP

- Certificate of Lawful Proposed Development for solar panels to west elevation
- Certificate of Proposed Lawful Use
- 02.07.2021

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. Following the publications, no representations have been received.

6. Consultation

6.1. HBBC Conservation Officer:

‘Subject to the reinstatement of a central glazing bar on the proposed replacement windows, in my opinion the proposal will have a neutral impact on the character and appearance of the Nailstone Conservation Area and will preserve its significance. The proposal therefore complies with Policies DM11 and DM12 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.’

6.2. Nailstone Parish Council:

- No comments 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) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

- Good Design Guide (2020)
- National Design Guide (2019)
- Planning (Listed Buildings and Conservation Areas) Act 1990

8. Appraisal

8.1. Key Issues

- Design and impact upon the character of the area and Nailstone Conservation Area
- Impact upon neighbouring residential amenity

Design and impact upon the character of the area and Nailstone Conservation Area

- 8.2 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention must be paid to preserving or enhancing the character and appearance of conservation areas during planning functions.
- 8.3 Section 16 of the National Planning Policy Framework (NPPF) (2024) provides the national policy on conserving and enhancing the historic environment.
- 8.4 Policy DM10 of the Site Allocations and Development Management Policies (SADMP) DPD requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 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 will only be permitted where it is demonstrated that the significance of a conservation area is preserved and enhanced through the consideration and inclusion of important features (as identified in the Conservation Area Appraisal and Management Plan).
- 8.6 It is proposed to replace the existing timber framed casements with UPVC 'timber effect' flush fitting casements. Given that the property is a modern dwelling and the proposed replacement windows would, other than for the material, retain a traditional specification with straight joints and a flush fitting they would generally maintain a satisfactory appearance.
- 8.7 As per the Council's Conservation Officer's comments the faux central glazing bar, a feature on the existing windows, has been continued on most of the replacements to provide the windows with a 'cottage' style appearance that is more reflective of the traditional characteristics of the conservation area. The Council's Conservation Officer has further confirmed that these amendments are sufficient.
- 8.8 The replacement composite door maintains a vertical planked style so would continue to be of a satisfactory appearance.
- 8.9 The insertion of a single new window on the side elevation would have no adverse effect upon the character or appearance of the property.
- 8.10 By virtue of the above, the proposal will have a neutral impact on the character and appearance of the surrounding area and will preserve the significance of Nailstone Conservation Area. The proposal therefore complies with Policies DM10, DM11 and DM12 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 upon neighbouring residential amenity

- 8.11 Paragraph 135(f) of the NPPF requires planning policies and decisions to ensure that developments create places that are safe, inclusive, and accessible, which promote health and well-being, and a high standard of amenity for existing and future users.
- 8.12 Policy DM10 of the SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.13 The application primarily seeks consent for the replacement of existing openings. A new open is, however proposed to the dwellings existing south-west (side) elevation. The proposed window would nonetheless be sited to ground floor level, while being screened by the application dwellings existing detached garage.
- 8.14 In light of the above, the proposed works would bear no adverse impacts upon the residential amenity of the occupiers of 100a Main Street, complying with Policy DM10 of the adopted SADMP and Paragraph 135(f) of the NPPF.

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. The proposed development is for a property located within the settlement boundary of Nailstone. 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 proposed development would have a neutral impact on the character and appearance of the surrounding area and would preserve the significance of Nailstone Conservation Area. It would further not cause any adverse impacts upon the visual amenity of the surrounding area or the neighbouring amenity of surrounding properties. On this basis, the proposal would be in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted SADMP, section 16 and paragraph 135(f) of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990. The proposal is recommended for 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 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 Floor Plans, Elevations, Site Location, Block Plan, Heritage Impact Statement, Drg No. 1245- HZ - 01/01A as received by the Local Planning Authority on the 8th February 2026.

Reason: To ensure a satisfactory form of development and to ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016), section 16 and paragraph 135(f) of the National Planning Policy Framework (2024) and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990

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.