

Delegated Report

Planning Ref: 24/00183/FUL

Applicant: Mrs Serena Musgrove

Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: St Marys Church Hall, Main Street, Congerstone



Hinckley & Bosworth
Borough Council

Proposal: Partial demolition of existing village hall and construction of a single storey front extension and roof extensions

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning application description

- 2.1. This application seeks full planning permission for the demolition of the existing rear extension and its replacement with a larger extension to the rear comprising of a rectangular plan building with a single pitched roof, fronted by a dual pitched roof canopy over a porch area. To the front elevation facing Main Street a full floor to eaves height glazing panel is proposed to be inserted, with a dummy timber door fixed to the side to provide the appearance of a former barn opening.

3. Description of the site and surrounding area

- 3.1. St. Mary's Church Hall is a L-shaped plan building consisting of a linear agricultural building aligned to Main Street and a perpendicular extension to the rear. The site is located within the Congerstone Conservation Area.
- 3.2. The main range is a tall single storey barn, comprising of red brick walls and a dual pitched clay tile roof. The barn dates back to at least the mid-19th century and is a remnant structure of a now demolished farm complex which was located immediately to the south of the barn. Whilst the barn has been adapted and altered to suit a community use, in particular on the rear elevation, overall its rural character and forms remains clearly evident and due to its historic and architectural interest the former barn is identified as an important local building within the Congerstone Conservation Area Appraisal (CCAA) (2007), and it contributes positively to the character and appearance, and thus significance of the conservation area.
- 3.3. The rear extension dates from the latter half of the 20th century, and whilst positively functioning as part of the community facility, it has a poor quality and uncharacteristic appearance consisting of concrete block walls and a shallow pitched sheet metal roof. Due to its functional but uncharacteristic form and appearance it is considered that the extension is a negative visual presence within the conservation area, although any adverse visual effects are mainly limited to within the confines of the application site itself rather than the wider conservation area due the siting and limited scale of the extension.
- 3.4. Further features of interest that contributes positively to the character and appearance of the conservation area are the traditional local material Carlton stone walls which run along the full length of front boundary of the site other than the access at the northern end, and along the northern boundary to the neighbouring property. Along the rear boundary is a historic brick wall. These boundary features

provide a strong and characterful sense of enclosure to the site and surround a small car park and area laid to lawn.

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 responses have been received.

6. Consultation

- 6.1 There have been no objections from the following consultants:
- HBBC Conservation Officer
 - LCC Minerals
 - Leicestershire County Council (LCC)'s Highways Officer (subject to conditions)
 - Shackerstone Parish Council (no comment)

7. Policy

- 7.1 Core Strategy (2009)
- Policy 12: Rural Villages
- 7.2 Site Allocations and Development Management Policies (SADMP) 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 DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
 - Policy DM20: Provision of Employment Sites
- 7.3 National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 7.4 Other relevant guidance
- Congerstone Conservation Area Appraisal and Map (2007)
 - Good Design Guide (2020)
 - National Design Guide (2019)
 - Highway Authority Design Guide
 - Planning Practise Guidance (PPG)
 - Planning (Listed Buildings and Conservation Areas) Act (1990)

8. Appraisal

- 8.1 The key issues in respect of this application are therefore:
- Assessment against strategic planning policies
 - Design and impact upon the character and appearance of the conservation area
 - Impact upon neighbouring residential amenity
 - Impact upon parking provision and highway safety

Assessment against strategic planning policies

- 8.2 The application relates to an existing building and community facility within the settlement boundary of Congerstone and therefore considered to be acceptable in principle.

Design and impact upon the character and appearance of the conservation area

- 8.3 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.
- 8.4 Sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 place a duty on the Local Planning Authority to have special regard to the desirability of preserving the building or its setting or any special features of special architectural and historic interest which it possesses. 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.
- 8.5 Section 16 of the Nation Planning Policy Framework provides the National Policy on conserving and enhancing the historic environment. When considering the impact of a proposed development on the significance of a designated historic asset, great weight should be given to the asset's conservation (Paragraph 193).
- 8.6 Policies DM11 and DM12 of the Site Allocations and Development Management Policies 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.
- 8.7 Specifically, DM12 refers to Heritage Assets and development proposals affecting heritage assets and their settings. For Listed Buildings, development will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.
- 8.8 The proposal is for the demolition of the incongruous rear extension and its replacement with a larger extension to the rear comprising of a rectangular plan building of red brick cladding panels, a single pitched roof of terracotta tiles, and contemporary styled fenestration, fronted by a dual pitched roof canopy over a porch area, constructed with a contemporary styled metal frame and the same roof tiles. To the front elevation facing Main Street a full floor to eaves height glazing panel is proposed to be inserted, with a dummy timber door fixed to the side to provide the appearance of a former barn opening.
- 8.9 The proposal ensures that the character and appearance of the former barn is maintained, with the new glazing insertion being appropriately designed, and given the siting and scale of the rear extension the barn will continue to the dominant structure of the site, maintaining its positive presence in the conservation area street scene. The removal of the incongruous rear extension provides an opportunity to enhance the character and appearance of application site, and whilst the visibility of the proposed rear extension from the street scene will be slightly increased due to its greater footprint, scale and massing, the predominantly contemporary approach for the extension will provide a suitable design contrast to the historic barn whilst sitting comfortably upon its rear elevation. The existing

arrangement around the boundaries of the site would be maintained, with the Carlton stone walls retained, and only a small section of the brick wall to the rear boundary removed to allow for the proposed extension, with the impact from the loss considered to be no more than negligible and not adverse.

- 8.10 Overall, due to the retention of the historic barn building and the minor and appropriately designed interventions to it, the retention of the historic boundary walls around the site, accompanied with the removal of the incongruous extension and its replacement with an extension of an appropriate siting, scale, form and appearance, it is considered that the proposal would have a neutral impact upon the character and appearance of the Congerstone Conservation Area, thus preserving its significance. The proposal therefore complies with Policies DM1, DM4, DM10, DM11 and DM12 of the SADMP, Policy 12 of the adopted Core Strategy, Section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.11 Policy DM10 of the SADMP also states that proposals should not adversely affect the occupiers of the adjacent buildings.
- 8.12 There are three dwellings adjoining the site boundary to the north, west and south. There have been no objections from any neighbouring dwellings. Although the replacement extension is larger than the existing, it would not result in any overshadowing, loss of outlook or loss of privacy impacts to the neighbouring dwellings or their respective private amenity areas. It is therefore considered that proposed development would not have a significant adverse impact on neighbouring residential amenity.
- 8.13 Moreover, it is not considered that the development would not lead to any unacceptable additional noise and disturbance when compared to the existing situation. By virtue of these factors and the fact that there have been no objections to the application, the proposal does not result in any adverse overbearing or overshadowing impacts or any overlooking or loss of privacy to the neighbouring properties and therefore it is considered to be in accordance with Policy DM10 of the SADMP and the adopted Good Design Guide.

Impact upon parking provision and highway safety

- 8.14 Policy DM17 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision to serve the development proposed. Paragraph 111 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.15 The application proposes no change to the access arrangement, and although the arrangement is not optimal in terms of its width which limits two vehicles passing each other, this is an existing situation which will not be exacerbated by the development.
- 8.16 Parking provision to the site would be reduced from 8 spaces to 6, with the applicant proposing mitigation in the form of 6 new cycle parking spaces. The applicant's Design and Heritage statement confirms that the main site users will be

local residents who are likely to walk to and from the site. Given this, and in conjunction with the safety record on Main Street, the LHA and LPA would not consider that a small decrease in on-site parking provision would be detrimental to highway safety.

- 8.17 In summary, the proposal is not considered to cause highway safety issues and the loss of two parking spaces is effectively mitigated by the introduction of 6 cycle parking spaces. LHA have no objections subject to conditions. The application is considered to be in accordance with Policies DM17 and DM18 of the SADMP and the adopted highway authority design guide.

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 proposed development is considered to be compliant with the relevant national and local policy as it is an appropriate scale and design and would have a positive impact upon the character and appearance of the site Conservation Area. There would be no harm to the amenity of neighbouring dwellings, and there is no harm to highway safety with the parking arrangements remaining satisfactory through the proposed mitigation of new cycle parking.

- 10.2 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate 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, submitted to the Local Planning Authority as follows:
 - Application Form (received 27.02.2024)
 - Location and Block Plan – dwg. no. 706-19 (received 27.02.2024)
 - Proposed Floor Plans and Elevations dwg no. 706/02 (received 27.02.2024)

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).

3. No development above foundation level shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the extension hereby permitted have been deposited with and approved in writing by the local planning authority, and the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory appearance in the interests of visual amenity and the conservation of historic and architectural interest, in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The development hereby permitted shall not be occupied until such time as the parking facilities have been implemented in accordance with Perfect Planning Architectural & Construction Services Ltd. Drawing number 706-19. Thereafter the onsite parking provision shall be kept available for such use in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2023).

5. The development hereby permitted shall not be occupied until such time as secure cycle parking shall be provided in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Thereafter the onsite cycle parking provision shall be kept available for such use(s) in perpetuity.

Reason: To promote travel by sustainable modes in accordance with the National Planning Policy Framework (2023).

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.