**DELEGATED REPORT**

**Reference:- 11/00735/LBC** **Parish:- Market Bosworth Parish Council**

**Applicant:- Michelle Murphy**
**3 Main Street**
**Market Bosworth**
**Nuneaton**
**Leicestershire**

**Location:- 3 Main Street Market Bosworth Nuneaton Leicestershire CV13 0JN**

**Proposal:- INTERNAL AND EXTERNAL ALTERATIONS TO LISTED BUILDING AND PART CHANGE OF USE FROM RESIDENTIAL (C3) TO RETAIL (A1) AND FINANCIAL AND PROFESSIONAL SERVICES (A2)**

**Introduction:-**

This application seeks Listed Building Consent for internal and external alterations to a Grade II listed building known as 3 Main Street Market Bosworth and the change of use of part of the dwelling (Use Class C3) to a retail or financial and professional services premises (Use Class A1 or A2).

The application includes external works to the drainage system affecting historic cobbles and brick paviors within the rear yard. The internal works include: the construction of internal stud partition walls and a small ceiling at ground floor to separate the remaining dwelling from the proposed unit and create a staff room and separate staff toilet in the study with a new toilet and wash hand basin; the installation of an internal mechanical extract fan with vent to pass through the roof to a suitable roof tile on the rear elevation; and the installation of a new wireless fire alarm system involving a series of interlinked smoke detectors.

The site is located in the centre of Market Bosworth and within the Market Bosworth Conservation Area. The application dwelling, 3 Main Street, Market Bosworth is a Grade II Listed Building dating from the early C19 but with evidence of earlier internal structure. It forms part of a row of shops and houses. It has two storeys and is constructed of brick with a plain tiled roof and gable end and central chimney stacks.

A Design and Access Statement, Historical Statement and Partial Historic Fabric Survey have been submitted to support the application.

**Relevant Planning History: -**

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| 11/00734/FUL | Part COU from Residential (C3) to Retail (A1) & Financial and Professional Services (A2) | Pending Decision |

**Consultations:-**

No objections have been received from Head of Community Services (Land Drainage)

No objection subject to conditions has been received from Directorate of the Chief Executive (Archaeology)

Market Bosworth Parish Council object to the application on the following grounds:-

a) no parking provision for staff, deliveries or visitors mentioned
b) no stock storage area mentioned
c) concerns regarding the preservation of the original features of the house and potential damage from alterations and wear and tear
d) concerns regarding future changes to the façade to promote the business

Press and site notices have been displayed and neighbours notified. One letter received raising the following issues and concerns:-

a) highway safety, obstruction from potential illegal parking of delivery vehicles
b) increased traffic and congestion
c) no mention of parking provision for proposed tenants

No comments have been received from:-

Ancient Monuments Society
Council for British Archaeology
Georgian Group
Historic Buildings Panel
Market Bosworth Society
Society for the Protection of Ancient Buildings
Victorian Society

**Development Plan Policies:-**

National Planning Guidance:

Planning Policy Statement 5 (PPS5): Planning for the Historic Environment

Adopted Core Strategy:

Policy 7: Key Rural Centres
Policy 11: Key Rural Centres Stand Alone (Market Bosworth)

Adopted Local Plan:

Within the settlement boundary of Market Bosworth and the Market Bosworth Conservation Area

Policy BE4: Alterations to Listed Buildings
Policy BE5: Setting of a Listed Building
Policy BE6: Change of Use of Listed Buildings
Policy BE7: Development in Conservation Areas
Policy BE14: Archaeological Field Evaluation of Sites
Policy BE15: Preservation of Archaeological Remains in Situ
Policy BE16: Archaeological Investigation and Recording

Other Documents

Market Bosworth Conservation Area Appraisal and Review

**Appraisal:-**

Principle

Policies BE4, BE5 and BE6 of the adopted Local Plan and overarching national guidance in PPS5 support the principle of alterations and changes of use to listed buildings where they would not detract from the architectural or historical character of the buildings or their setting. The main considerations with regards to this application are, therefore, the impact of the proposed alterations and change of use on the historic fabric, character and appearance of this Grade II listed building and its setting within the Market Bosworth Conservation Area.

Impact on the Historic Fabric, Character and Appearance

The rooms affected by the proposed change of use are dated to the early part of the C19th and although some fabric such as the timber wall panelling has been identified as re-used earlier material, this is to be unaffected by the proposed change of use or alterations. The construction of internal stud walls and small ceiling in the ground floor lobby area to separate the dwelling from the proposed retail unit, the construction of a stud wall in the study, the installation of a toilet, wash hand basin and mechanical extract fan and the installation of a

series of interlinked but wireless smoke detectors will involve minimal impact on any fabric of historical or architectural significance. However, the internal vent to be installed through to the roof may expose or impact upon internal, hidden historic fabric.

The external works to form a new underground drain from the toilet and wash hand basin to the existing drainage system will involve the temporary lifting of historic cobbles and brick paviors forming the surface of the rear yard and some intrusive excavation of the yard. However, the application includes the re-laying of these features following the formation of the underground drain using appropriate techniques and materials. The Historic Fabric Survey submitted to support the application identifies that C20th drain-laying has already disturbed sections of the cobbles and that these have been re-laid without proper understanding of the appropriate techniques. As such their lifting and relaying will achieve an improvement to their ultimate appearance.

The Directorate of the Chief Executive (Archaeology) does not object but has recommended conditions in respect of archaeological attendance, investigation and recording. In view of the location of the building within the historic core of Market Bosworth, the known historic fabric within the building, the nature of the proposed alterations and the excavation within the rear yard, such conditions are considered to be reasonable and necessary in this case to ensure satisfactory investigation and recording to comply with Planning Policy Statement 5 and policies BE14, BE15 and BE16 of the adopted Local Plan. The Borough Council's Conservation Officer has been involved in pre-application discussions in respect of the proposals and has raised no objections.

Other Issues

The issues raised in respect of highway safety, parking and stock storage are not material considerations in the determination of an application for Listed Building Consent.

Conclusion

The proposed change of use and alterations will have a minimal impact on any significant architectural or historic fabric features or details of this Grade II listed building and will preserve its character and appearance and that of its setting within the Market Bosworth Conservation Area. The application is considered to comply with policies 7 and 11 of the adopted Core Strategy and policies BE4, BE5, BE6, BE7, BE14, BE15 and BE16 of the adopted Local Plan and is therefore recommended for approval subject to conditions.

**RECOMMENDATION:- Permit subject to the following conditions:-**

**Summary of Reasons for Recommendation and Relevant Development Plan Policies :**

Having regard to the historic fabric, character and appearance of the of the Grade II listed building and the Market Bosworth Conservation Area, the pattern of existing development in the area, representations received and relevant provisions of the development plan, as summarised below, it is considered that subject to compliance with the conditions attached to this permission the proposed development would be in accordance with the development plan as it would preserve the significant historical and architectural features and character and appearance of the Grade II listed building and the character and appearance of the Market Bosworth Conservation Area.

Local Development Framework: Core Strategy (2009):- Policy 7 and 11

Hinckley & Bosworth Borough Council Local Plan (2001):- Policies BE4, BE5, BE6, BE7, BE14, BE15 and BE16

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

2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows: Site Location Plan Drawing No. 11/52 01; Site Layout Plan Drawing No. 11/52 03A and proposed Plans and elevations Drawing No. 11/52 04 received by the local planning authority on 23 November 2011.

3 No development shall commence until a programme of archaeological work including a Written Scheme of Investigation has been submitted to and approved in writing by the local planning authority. The development shall only be implemented in accordance with the approved Written Scheme of Investigation and the archaeological works shall be carried out by a suitable qualified body approved in writing by the local planning authority.

4 The historic fabric cobbles and brick paviors located within the rear yard shall be relaid in accordance with the submitted details within one month of the completion of the works within the rear yard hereby permitted.

**Reasons :-**

1 To comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

2 For the avoidance of doubt and in the interests of proper planning.

3 To ensure satisfactory archaeological investigation and recording to accord with policies BE14, BE15 and BE16 of the adopted Hinckley and Bosworth Local Plan and Planning Policy Statement 5: Planning for the Historic Environment.

4 To preserve the historic fabric, character and appearance and setting of this Grade II listed building to accord with policies BE4, BE5, BE6 and BE7 of the adopted Hinckley and Bosworth Local Plan and Planning Policy Statement 5.

**Notes to Applicant:-**

1 Bats, nesting birds, great crested newts and certain other species are protected by law. If any such species are discovered before or during the works the works must be suspended and the local office of Natural England contacted for advice.

2 This permission does not grant approval under the Building Act 1984 and the Building Regulations 2000 (as amended) for which a separate application may be required. You are advised to contact the Building Control Section.

3 As from 6 April 2008 this Authority are charging for the discharge of conditions in accordance with revised fee regulations which came into force on that date. Application forms to discharge conditions and further information can be found on the planning portal web site www.planningportal.gov.uk.

4 In relation to condition 3 above, the Written Scheme of investigation shall include an assessment of significance and research questions and:-

a) the programme and methodology of site investigation and recording
b) the programme for post investigation assessment
c) the provision to be made for publication and dissemination of the analysis and records of the site investigation
d) the provision to be made for publication and dissemination of the analysis and records of the site investigation
e) the provision to be made for archive deposition of the analysis and records of the site investigation
f) timescales for the completion of the above
g) nomination of a competent person or organisation to undertake the works set out within the Written Scheme of Investigation.

**Contact Officer:- Richard Wright Ext 5894**