

## Delegated Report

Planning Ref: 26/00145/LBC

Applicant: Mr Erhan Coskun

Ward: Cadeby Carlton Market Bosworth & Shackerstone

Site: 1 Market Place, Market Bosworth



Hinckley & Bosworth  
Borough Council

**Proposal: Installation of five overhead traditional lantern style lights and two wall mounted caged bulkhead lights (retrospective).**

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### 1. Recommendations

#### 1.1. Grant Listed Building Consent subject to:

- Planning conditions outlined at the end of this report

### 2. Planning application description

- 2.1. This application seeks retrospective listed building consent to retain five overhead lantern style light fittings and two wall-mounted lights on each side of the main entrance door, all lights are attached to the frontage of a Grade-II listed building at 1 Market Place, Market Bosworth.
- 2.2. The five overhead lanterns measure a height of 20cm and width of 5cm; two are placed to the north of the central shopfront door and three to the right, held up by L-shaped brackets above the shopfront windows. Both wall-mounted caged bulkhead lights are placed either side of the entry door, with a height of 18cm and width of 10cm, positioned just shy of eye-level.

### 3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Market Bosworth and within the Market Bosworth Conservation Area. No. 1 Market Place forms part of a late 18th-century row of houses, now converted to shops/restaurants at ground floor level.
- 3.2. The building is constructed using historic red brick with plain tiled roofs and is three storeys high. The structure is an example of late Georgian commercial architecture.
- 3.3. The ground floor of No. 1 features a modern shopfront spanning approximately 6m, with off-centre doorway. The upper storeys retain single-pane standard windows with upper pivoted openings, set above projecting sills and has curved simplistic lintels above each window. The overall building also includes a centrally shared chimney stack, contributing to the historical roofline of Market Bosworth and the village square (Market Place) in which the application site sits.
- 3.4. The retail unit currently operates as a Turkish restaurant, Istanbul BBQ Kitchen. The Turkish restaurant has been in operation since 2020, has undergone external changes over the years and contributes to the retail offer of Market Bosworth.
- 3.5. The Grade II listed (Entry number: 1361290) building is described as '*Row of houses, now shops on ground floor. Late C18. Brick with plain tiled roofs. Three storeyed. Nos. 1 and 3 are each of two bays with C20 shop fronts (No. 1 has separate door also) in slight architrave with panelled rebates. No. 3a is similar but with two doorways to ground floor one leading to passage to rear. All have projecting sill bands and moulded eaves cornices. Upper windows vary: No. 1 has 4-light mullioned and wood mullioned and transomed windows while Nos. 3 and 3a have 12 pane windows with central pivoted openings. Axial stacks.*'

#### **4. Relevant planning history**

##### **93/00816/4**

- Erection of one dwelling
- Outline
- 20.10.1993

##### **05/01311/ADV**

- Illumination of existing signs
- Withdrawn
- 06.04.2006

##### **06/01094/ADV**

- Illumination of existing signs
- Advertisement consent
- 04.12.2006

##### **20/00509/FUL**

- Change of use from retail (Use Class A1) to restaurant/cafe (Use Class A3) and alterations to building
- Permitted
- 14.09.2020

##### **20/00602/LBC**

- Listed Building Consent application for Change of use from retail (Use Class A1) to restaurant/cafe (Use Class A3) with alterations
- Listed building consent
- 14.09.2020

##### **22/00386/ADV**

- One externally illuminated replacement Fascia sign (retrospective).
- Advertisement consent
- 18.11.2022

##### **22/00588/LBC**

- Listed Building Consent for one externally illuminated replacement Fascia sign (retrospective)
- Listed building consent
- 18.11.2022

##### **22/01208/FUL**

- Change of use of first floor from E(a) retail to E(b) restaurant and cafe
- Permitted
- 01.03.2023

##### **22/01209/LBC**

- Alterations to curtilage Listed Building relating to amendments to approved ground floor layout (previous approval ref. 20/00602/LBC).
- Listed building consent
- 01.03.2023

## **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 comments have been received.

## **6. Consultation**

### **6.1. Market Bosworth Parish Council:**

*'Market Bosworth Parish Council objects to this planning application on the grounds that the lighting as installed is inappropriate, excessive, and out of character with the street scene.'*

*Also, this is not the first retrospective application from the applicant, demonstrating a lack of regard to planning regulations.'*

### **6.2. Market Bosworth Society:**

*'The Market Bosworth Society does not support the application and further asks that they be removed and the windows made good at the earliest opportunity.'*

- 1) Neighbourhood Plan Policy CE1 - the addition of these lights are not in keeping with the Character Area.*
- 2) The lights do not accord with the street scene of the Market Place and are a harsh contrast. They do not match existing street lighting.*
- 3) Neighborhood Plan Policy BD4 result in the unreasonable and unnecessary change to the listed building which is also listed as a heritage asset.*
- 4) Neighbourhood Plan Policy CE1a the lights do not reflect the Character Area and are a harsh contrast.*
- 5) Hinckley & Bosworth Borough Council DM10 The lights do not complement or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.*
- 6) HBBY DM 11 The addition of the lights do not outweigh the damage to the building and the Street Scene.*

*It is disappointing to note that the application has been made retrospectively when the tenant is well aware that the building is protected by a Grade II listing.'*

### **HBBC Conservation Officer:**

*'This proposal is located at 1 Market Place, Market Bosworth, which is a grade II listed building. This application seeks listed building consent for recently installed lighting to the front elevation of the building.'*

*The application site consists of two parallel rear ranges forming a courtyard to the rear of a row of late-18th century buildings. Although originally constructed as townhouses the ground floor of these buildings have been adapted and used for commercial purposes for a considerable period of their history. These buildings form part of single grade II listed building known as 1, 3 and 3A Market Place. The listed building entry identifies the building (National Heritage Listed for England (NHLE) reference 1361290) as "Row of houses, now shops on ground floor. Late C18. Brick with plain tiled roofs. Three storeyed. Nos. 1 and 3 are each of two bays with C20 shop fronts (No. 1 has separate door also) in slight architrave with panelled rebates. No. 3a is similar but with two doorways to ground floor one leading to passage to rear. All have projecting sill bands and moulded eaves cornices. Upper windows vary:*

No. 1 has 4-light mullioned and wood mullioned and transomed windows while Nos. 3 and 3a have 12 pane windows with central pivoted openings. Axial stacks.”

Section 16 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.

Section 16 of the National Planning Policy Framework (NPPF) (2024) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 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.

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.

Further guidance on the advertisement of shopfronts is also provided within the Borough Council's Good Design Guide (2019).

The special architectural and historic interest of the listed building is readily appreciated from its front elevation which faces out into the Market Place, this being the central historic core of the village and the Market Bosworth Conservation Area. It is also the commercial centre of the village, with the commercial use of the ground floor of the building contributing to the town centre offer in its use as a restaurant.

The proposal is for the installation of five lantern lights along the top section of the shopfront window fascias (two lanterns above the left hand side window and three above the right hand side window) and two fixed lights flanking the restaurant entrance door. The lanterns and lights are relatively modest in scale and are proportionately sized as to not be a dominant visual component of the shopfront. Both the lantern and lights consist of glazing cased in a black metal metal frame which provides them with a relatively traditional form and appearance that reflects the existing fixtures and fittings upon the frontage of the building and other lighting fixings in situ on other commercial properties (including listed buildings) throughout the Conservation Area. The installation of the lighting has resulted in a negligible impact upon the fabric of the building, with the lanterns being attached to the timber fascias only and cable runs pinned to the top of the fascias, and the lights fixed to the walls with cable runs largely aligned to existing fixtures and fittings on the front elevation including the awning brackets.

In my opinion the lanterns and fixed lights are of an appropriate scale, form and appearance. Their siting and fitting has had no more than a negligible and not adverse physical impact upon the fabric of the building. Overall, it is considered that the proposal is compatible with and preserves the heritage significance of the listed building known as 1 Market Place. Therefore, the proposal complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 16 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.’

## **7. Policy**

### **7.1. Core Strategy (2009)**

- No relevant policies

### **7.2. Site Allocations and Development Management Policies DPD (2016)**

- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets

### **7.3. Market Bosworth Neighbourhood Plan (2025)**

- Policy CE1a: Character Areas
- Policy DC1: Design Codes
- Policy BD4: Heritage Asset Protection

### **7.4. National Planning Policies and Guidance**

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

### **7.5. 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 16 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 The Councils Good Design Guide states that '*Market Bosworth retains a high-quality architectural diversity*' of which it aims to '*reflect the hierarchy of scale achieved when approaching the village centre with unity of façade treatments*' and '*maintain and enhance to visual and spatial quality of Market Bosworth through appropriately designed shopfronts*'.

8.4 Policy CE1 of the Market Bosworth Neighbourhood Plan states '*All new development within Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials to retain local distinctiveness and create a sense of place.*'

8.5 The proposals consist of the addition of five hanging lantern style lights and two wall-mounted caged bulkhead lights, all at the principal elevation of a Turkish restaurant unit.

8.6 Both objections received cite the lanterns are out of keeping with the surrounding area and therefore contrary to Policy CE1 of the Market Bosworth Neighbourhood Plan. Although the hanging lanterns are not of typical Georgian design, they do not exceed a height of 20cm and are modestly sited beneath an extendable canvas canopy. It is considered the lanterns reflect the established use of the restaurant and

are all partially concealed when the canopy is fully extended. As such, any associated cable work is not visible to the public realm. The modest scale of the hanging lanterns is therefore considered negligible in design terms.

- 8.7 The Good Design Guide advocates for appropriately designed shopfronts in the village; as the unit is in use as a restaurant, it is not considered unreasonable to propose lighting at the exterior where patrons may sit/eat; it would be practical to eat with some form of lighting. Although the style and design of the hanging lanterns do not completely adhere to the style of the Georgian Commercial architecture, the design and style is related to the type of cuisine offered by the restaurant and is considered to be acceptable and justifiable on this basis.
- 8.8 The Good Design Guide states '*a well-designed shopfront employs the minimum number of visual elements required to effectively advertise the business while contributing to a clean, restrained, and visually appealing streetscape. The principle of "less is more" should be applied, avoiding unnecessary visual clutter. This includes limiting excessive signage, plastic foliage, and other decorative additions affixed to the shopfront.*'. The proposals for five hanging lanterns, interspersed equally along the shop frontage would not contribute to visual clutter.
- 8.9 By virtue of their more industrial/practical styling, the two wall-mounted lights at either side of the entry provide a contrast with the Georgian architecture of the main dwelling. However, the modest scale and sensitive positioning of the lanterns, along with the previously mentioned link to the type of cuisine offered by the restaurant, this is considered acceptable in this case.
- 8.10 Both objections noted that the applicant should have known the property was Grade II listed. Although it is advisable any application be submitted prior to enforcement action, this is not a material consideration within this application.
- 8.11 For the above reasons it is considered that the proposed works would be compatible with the special interest and significance of the Grade II curtilage listed building No 1. Market Place. Therefore, the proposal complies with Policies DM10, DM11 and DM12 of the SADMP, Section 16 of the NPPF and the statutory duty of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the general principles of the Councils Good 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.

## **10. Conclusion**

- 10.1. The proposal is considered to be in accordance with Policies DM1, DM10, DM11, and DM12 of the SADMP, Section 16 of the NPPF and the statutory duty of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the general principles of the Councils Good Design Guide and is therefore recommended for listed building consent approval subject to conditions.

## **11. Recommendation**

- 11.1 **Grant Listed Building Consent** subject to:

- Planning conditions outlined at the end of this report

### **11.2 Conditions and Reasons**

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

- Shop Front Plan - Elevation
- Site Location Plan
- Application form
- All received by the Local Planning Authority on 17/02/26

**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](mailto:building.control@blaby.gov.uk) or call 0116 272 7533.