

Delegated Report

Planning Ref: 23/00557/HOU

Applicant: Mr Warren Brett

Ward: Cadeby Carlton Market Bosworth & Shackerstone

**Site: The Grey House 3 Church Street Market Bosworth
Leicestershire**



Hinckley & Bosworth
Borough Council

Proposal: Replacement of windows and flat roof and part render to rear 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. This householder application seeks planning permission for the replacement of existing windows, felt to a flat roof and the part rendering of a rear elevation of a Grade II listed dwelling, The Grey House, 3 Church Street, Market Bosworth.
- 2.2. The proposal includes the replacement of the existing windows within the garden facing elevations of the two storey 19th century rear range and flat roofed two storey rear extension with similar white painted timber framed multi-glazing bar windows, the like for like replacement of the felt to the flat roof of the two storey rear extension, and the application of white painted lime render to the rear facing elevation of the two storey flat roofed rear extension.
- 2.3. A related Listed Building Consent application for the same development (reference 23/00369/LBC) has also been submitted and is pending consideration.

3. Description of the site and surrounding area

- 3.1. The application dwelling is a Grade II listed building located within the settlement boundary of Market Bosworth and within the Market Bosworth Conservation Area. The Grey House is a Regency style two storey house with gable sided roof form and parapet wall with cornice band to the front elevation. It has been extended with a subordinate two storey rear range with dual pitched rear gabled roof and also with a two storey flat roofed rear extension. The original dwelling is constructed with white painted lime rendered walls, Welsh slate roof and white painted timber 12 pane sash windows to the front elevation. The rear range and flat roof extensions are constructed with a mix of red facing bricks and white rendered walls, brindle plain clay roof tiles/felt roof and white painted cottage style multi-glazing bar windows. There is also a red brick and bridle tile dual pitched roof outbuilding that extends along the Barton Road highway boundary.
- 3.2. The application dwelling occupies a prominent corner plot within the historic core of Market Bosworth and is surrounded by buildings with a wide range of age, scale, design, style and appearance.

4. Relevant planning history

91/01124/4

- Detached Dwelling and Garage
- Permitted
- 25.02.1992

91/01123/4L

- Formation of opening in wall
- Listed Building Consent
- 25.02.1992

94/00962/LBC

- Alterations and demolition of porch
- Listed Building Consent
- 16.01.1995

95/00120/LBC

- Alterations to listed building
- Listed Building Consent
- 31.03.1995

11/00203/LBC

- Extensions and alterations to outbuilding to create first floor and external staircase
- Listed Building Consent
- 04.05.2011

11/00223/FUL

- Extensions and alterations to outbuilding to create first floor and external staircase
- Permitted
- 09.05.2011

12/00221/LBC

- Alterations to outbuilding
- Listed Building Consent
- 04.05.2012

12/00225/HOU

- Alterations to outbuilding
- Permitted
- 04.05.2012

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 responses have been received as a result of public consultation.

6. Consultation

- 6.1. Historic England have confirmed that they have no comments.
- 6.2. No objection has been received from Market Bosworth Parish Council.

- 6.3. Market Bosworth Society support the application as the proposals would improve and preserve this valuable heritage asset. They also request that the former construction features visible through the windows are preserved and remain on view for the education of the students of and visitors to Market Bosworth.

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan (MBNP) 2014-2026 (2015)
- Policy CE1: Character and Environment
- 7.2. Core Strategy (2009)
- No relevant policies
- 7.3. 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
- 7.4. National Planning Policies and Guidance
- Planning (Listed Buildings and Conservation Areas) Act 1990
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
- Market Bosworth Conservation Area Appraisal and Map (2014)
 - Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. Alterations to existing domestic properties within settlement boundaries, including listed buildings, are generally considered to be sustainable development in principle. The key issues in respect of this application are therefore:
- Design and impact upon the special architectural and historic interest of the Grade II listed building and the character and appearance of the Market Bosworth Conservation Area
 - Impact upon neighbouring residential amenity

Design and impact upon the special architectural and historic interest of the Grade II listed building and the character and appearance of the Market Bosworth Conservation Area

- 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. Section 66 of the Act places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Act states that special attention shall

be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

- 8.3 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199-202 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 adopted SADMP 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. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Policy DM10 of the adopted SADMP requires development to complement or enhance the character of the surrounding area with regard to design, materials and architectural features and for building material to respect existing/neighbouring buildings.
- 8.6 The application dwelling is identified in the 'made' MBNP as being in Character Area E, the historic core of Market Bosworth. Policy CE1 requires that development 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.
- 8.7 The Grey House is a Regency style house and a building of special architectural and historic interest. The listed building entry (National Heritage List England (NHLE) ref 1074291) identifies the building as "*House. Early C19. Render over brick with Welsh slate roof. Two storeyed, four bays with one bay to the left of door which, with radial fanlight is contained in an architrave with moulded console brackets. Windows on each floor are 12 pane sashes with flat heads in plaster architraves. Parapet front with cornice band. Gable end stacks.*"
- 8.8 The listing description identifies that the significance of the building is predominantly focused upon the features and architectural interest located upon the front elevation and the historic interest of the original early 19th century Georgian dwelling. The property has been adapted and extended over time, including a late-19th century two storey red brick perpendicular rear wing of some limited historic interest and a rather utilitarian flat roofed shallow depth rear extension that is of no particular historic or architectural interest.
- 8.9 Due to the dominant presence of the original dwelling at the corner junction of Church Street, Barton Road and Main Street and its special historic and architectural interest the listed building contributes positively to the character and appearance of the Market Bosworth Conservation Area.
- 8.10 The proposal includes the replacement of the existing windows within the garden facing elevations of the two storey 19th century rear range and flat roofed two storey rear extension with similar white painted timber framed multi-glazing bar windows, the like for like replacement of the felt to the flat roof of the two storey rear extension, and the application of white painted lime render to the rear facing elevation of the two storey flat roofed rear extension.

- 8.11 The existing windows within the 19th century rear range and flat roofed extension are varied in character and form and include multi-glazing bar cottage style windows, bay windows and French doors. They are white painted timber framed and single glazed. Although they are not historic fabric, they are generally in keeping with the traditional character of The Grey House. It is proposed to replace these windows with white painted timber framed slim-double glazed alternatives within the existing openings. Sectional drawings have been submitted demonstrating that the proportions of the windows would remain slim and the glazing bar detail of the existing windows would be replicated and remain complementary to the architecture of the main dwelling. It is therefore considered that the proposed replacement windows are appropriately specified and reflect the special interest of the main listed building, and as such these would be compatible with its significance whilst maintaining the character and appearance of the conservation area.
- 8.12 The existing felt roof over the flat roofed extension is of its time and is of no historic interest. It is proposed to replace it on a like for like basis which would have no particular material effect upon the significance of the listed building or conservation area.
- 8.13 The existing rear elevation of the flat roofed extension is an exposed red brick. All elevations of the original house have a white rendered finish, as per the earlier 19th century Georgian architectural style, whilst the side elevation of the flat roofed extension and the rear gable of the 19th century extension have also been rendered. The proposed white painted lime rendering of the rear elevation of the flat roofed extension is therefore considered to be an appropriate finish for the facing walls that would reflect the traditional finish of the other elevations of the listed building.
- 8.14 For the reasons outlined above, it is considered that the proposals are compatible with the significance of the grade II listed building, The Grey House, and would preserve the significance of the Market Bosworth Conservation Area. The proposals are therefore considered to be in accordance with Policy CE1 of the 'made' MBNP, Policies DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.15 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and/or amenity of nearby residents and occupiers of adjacent buildings.
- 8.16 The proposals relate to the replacement of existing windows within existing openings and therefore would have no adverse impacts on the residential amenity of privacy of any neighbouring properties. The proposals would therefore be in accordance with Policy Dm10 of the adopted SADMP.

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. By virtue of their design, appearance and proposed use of matching construction materials and replacement like for like nature, the proposed alterations are considered to be compatible with the significance of the grade II listed building, The Grey House, and would therefore preserve the significance of the Market Bosworth Conservation Area. The proposals are considered to be in accordance with Policy CE1 of the 'made' MBNP, Policies DM1, DM10, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are therefore 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: Location Plan at scale 1:1250, Block Plan at scale 1:500 and Proposed Floor Plans, Roof Plan and Elevations Drawing No. AVD-770-HRB-PL02 received by the local planning authority on 6 June 2023 and window detail received by the local planning authority on 22 June 2023.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed alterations shall match the corresponding materials of the existing dwelling, being matching white painted lime render to the specified rear elevation wall,

white painted timber framed cottage style windows and like for like replacement felt to the flat roof.

Reason: 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).

11.3 **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.