

Delegated Report

Planning Ref: 25/00517/LBC

Applicant: Miss Kullar

Ward: Groby



Hinckley & Bosworth
Borough Council

Site: 4 Old Hall Barns Markfield Road Groby

Proposal: Changes to the doors on the front elevation, new openings created to the side and rear elevations. New internal stud work on the ground floor and skylights added to the roof and the rear.

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 listed building consent to replace the doors on the front elevation, create new openings for a window and set of doors to the side and rear elevations, the insertion of two additional sky lights on the rear elevation, and the insertion of a stud wall internally at 4 Old Hall Barns, Markfield Road, Groby.
- 2.2. The doors and windows are to be finished in timber aluminium with the new openings being surrounded in the stepped red brick detailing, with timber lintel to the header of the door and segmental brick arch to the header of the window.

3. Description of the site and surrounding area

- 3.1. The application dwelling is located within the settlement boundary of Groby and within the Groby Conservation Area. It is a 1½ storey detached dwelling formerly an agricultural building of Groby Old Hall, which was converted into residential use along with three other buildings (under planning permission reference: 10/00266/FUL). Due to its location within the curtilage of this Grade II* listed building, the application dwelling is also treated as part of the listing. The building has recently been converted to residential use in a sympathetic and appropriate manner which has ensured that its special architectural and historic interest has been retained. The property is also located within the Groby Conservation Area and it makes a positive contribution to its character and appearance and thus significance.
- 3.2. The property is constructed of red rustic facing bricks to the front elevation and feature stone walls to either side elevation with red brick detailing to openings, grey slate roof and green windows. It is set back from Markfield Road, accessed via a long driveway. Landscaping to the front of the property is encompassed by a low brick wall, with an open paddock to the rear of the property.
- 3.3. The other neighbouring former agricultural buildings converted to residential use are of similar design. Groby Old Hall bears its own special architectural and historical interest.

4. Relevant planning history

10/00266/FUL

- Conversion of outbuildings to groby old hall to provide four residential properties and associated works
- Planning Permission
- 21.06.2010

10/00267/LBC

- Conversion of outbuildings to groby old hall to provide four residential properties and associated works
- Listed Building Consent
- 21.06.2010

10/00519/TPOCA

- Works to trees
- Tree Preservation Order Conservation Area Consent
- 27.08.2010

18/01021/LBC

- Chimney to west elevation of property
- Listed Building Consent
- 08.01.2019

19/00125/HOU

- Chimney to west elevation of property
- Planning Permission
- 05.04.2019

23/00189/LBC

- Chimney to west side elevation (re-submission of 18/01021/LBC)
- Listed Building Consent
- 25.05.2023

23/00314/HOU

- Chimney stack to west side elevation
- Planning Permission
- 25.05.2023

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. Groby Parish Council;

'Groby Parish Council's Planning & Development Committee considered the application and resolved that they had no objections.'

6.2. HBBC Conservation Officer:

'The proposals consist of replacing the doors on the front elevation, creating new openings for a window and set of doors to the side and rear elevations, insertion of two additional sky lights on the rear elevation, and the insertion of a stud wall internally.

The proposed replacement doors to the front elevation would be within the same position as the existing and be of the same appearance, material and finish. The original doors are not historic fabric with them being part of the recent building conversion. This aspect of the proposal is considered to have no adverse impact upon the significance of the listed building.

On the side elevation a new set of timber double doors is proposed from the kitchen/diner into the amenity area serving the property. On the rear elevation a small, fixed glazing panel is proposed to serve the lounge. The doors would be set under a segmental brick arch and the glazing panel would be set under a timber lintel, with both new openings having brick detailing to the sides which also allows for ease of installation into the thick stone walls of the existing building. It is considered that the new fenestration to the side and rear elevations is of an appropriate siting, form and scale, would have a traditional appearance, and would match the existing header treatments and architectural detailing of the other openings across the elevations of the building. This aspect of the proposal is considered to have no adverse impact upon the significance of the listed building.

The building already has two conservation style roof lights located upon its front and rear elevations. Two further roof lights are proposed on the rear elevation, sited along the same horizontal plane as the single existing roof light, as well as being of the same size and of a conservation style fixed flush to the plane of the roof. Given their location on the rear elevation of the building the impact upon the character of the building from their installation would be limited, and there would be a minimal loss of historic fabric required for their installation. In my opinion the physical and visual impact resulting from a proposal for two additional roof lights is negligible and would not result in an adverse impact upon the significance of the listed building.

Internally it is proposed to install a stud wall within the kitchen/diner to create a small WC and utility area. This aspect of the proposal would have no adverse impact upon the historic plan form of the building as the volume of the space would remain clearly discernible, nor would the installation have any adverse physical impact upon the historic fabric of the building.

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 4 Old Hall Barns. 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 Planning (Listed Buildings and Conservation Areas) Act 1990.'*

6.3. Historic England:

- No objections.

6.4. LCC Ecology:

'Holding Objection - Further information required

REASON FOR RECOMMENDATION PROVIDED:

- *The site is situated on the edge of Groby adjacent to the A50. The application site itself is surrounded by large mature trees, shrubs and grasslands connecting to other areas of woodland and allotments providing suitable foraging and commuting habitats for bats.*
- *The proposed works include breaking into the existing roof void impacting on tiles and flashing. Bats are particularly associated with the roof structures of buildings including gables, eaves, soffits and flashing, but may also be present in crevices such as stone, brickwork or cavity walls providing potential access and suitability for roosting bats.*
- *Therefore, considering the nature of the works and suitability of the surrounding habitat a Preliminary Roost Assessment (PRA) is required to assess the condition of the building.*
- *The application site is also situated in a swift alert area where known populations of swifts are recorded breeding. The PRA should also scope in nesting birds, notably swifts.*
- *There is a holding objection until this is supplied.*
- *The ODPM Regulations require protected species surveys to be submitted prior to determination of a planning application. It is also essential that the extent that they may be affected by the proposed development is established before the planning permission is granted. Reference: Paragraph 99 of ODPM Circular 06/2005 (Biodiversity and Geological Conservation – Statutory Obligations and their Impact within the Planning System). Therefore, any further surveys recommended within the report would need to be carried out prior to determination.'*

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 8: Key Rural Centres Relating to Leicester
- Policy 22: National Forest

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- 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)

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 ecology

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 Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 212-215 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 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.
- 8.6 Policies DM11 and DM12 of the 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.
- 8.7 The proposals consist of replacing the doors on the front elevation, creating new openings for a window and set of doors to the side and rear elevations, insertion of two additional sky lights on the rear elevation, and the insertion of a stud wall internally.
- 8.8 The Councils Good Design Guide states that *'Care should be given to the selection of the type, colour and size of bricks, roof tiles, mortar colour, lintels, sills and heads. The use of sensitive materials is particularly significant in the case of listed buildings.'*
- 8.9 The proposed replacement doors to the front elevation would be within the same position as the existing and be of the same appearance, material and finish. The original doors are not historic fabric with them being part of the recent building conversion. This aspect of the proposal is considered to have no adverse impact upon the significance of the listed building.
- 8.10 On the side elevation a new set of timber double doors is proposed from the kitchen/diner into the amenity area serving the property. On the rear elevation a small, fixed glazing panel is proposed to serve the lounge. The doors would be set under a segmental brick arch and the glazing panel would be set under a timber lintel, with both new openings having brick detailing to the sides which also allows for ease of installation into the thick stone walls of the existing building. It is considered that the new fenestration to the side and rear elevations is of an appropriate siting, form and scale, would have a traditional appearance, and would match the existing header treatments and architectural detailing of the other openings across the elevations of the building. This aspect of the proposal is considered to have no adverse impact upon the significance of the listed building.

- 8.11 The building already has two conservation style roof lights located upon its front and rear elevations. Two further roof lights are proposed on the rear elevation, sited along the same horizontal plane as the single existing roof light, as well as being of the same size and of a conservation style fixed flush to the plane of the roof. Given their location on the rear elevation of the building the impact upon the character of the building from their installation would be limited, and there would be a minimal loss of historic fabric required for their installation. The physical and visual impact resulting from a proposal for two additional roof lights is negligible and would not result in an adverse impact upon the significance of the listed building.
- 8.12 The Council's Good Design Guide states that *'Internal features require sensitive consideration, particularly if they have historical or architectural value and the retention and appropriate repair of such features is encouraged.'*
- 8.13 Internally it is proposed to install a stud wall within the kitchen/diner to create a small WC and utility area. This aspect of the proposal would have no adverse impact upon the historic plan form of the building as the volume of the space would remain clearly discernible, nor would the installation have any adverse physical impact upon the historic fabric of the building.
- 8.14 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 4 Old Hall Barns. 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 Council's Good Design Guide.

Impact upon ecology

- 8.15 Policy DM6 of SADMP states that proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long-term future management.
- On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. The removal or damage of such features shall only be acceptable where it can be demonstrated the proposal will result in no net loss of biodiversity and where the integrity of local ecological networks can be secured.
- Proposals which are likely to result in the loss or deterioration of an irreplaceable habitat would only be acceptable where:
- e) The need and benefits of the development in that location clearly
 - f) It has been adequately demonstrated that the irreplaceable habitat
 - g) Appropriate compensation measures are provided on site wherever possible and off site where this is not feasible.
- If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.16 In reference to Paragraph 99 of Part IV of the ODPM Circular 06/2005 *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may have not been addressed in making the decision. The need to ensure ecological surveys are carried out should therefore only be left to coverage under planning conditions in exceptional circumstances."*

- 8.17 The proposed works include breaking into the existing roof void impacting on tiles and flashing whilst also being surrounded by good habitat connectivity. As such, this habitat could provide suitable foraging and good connectivity routes for bats, and the submission of a Preliminary Roost Assessment (PRA) was requested by LCC Ecology to assess the condition of the building.
- 8.18 Whilst a PRA was not submitted, on the 11th July supporting photographs/justification was supplied by the agent and subsequently forwarded over to LCC Ecology for their review. On the 17th July LCC Ecology confirmed that whilst their objection still stands and that the submission of the surveys would be the strongly preferred way forward, as listed building consents falls outside of the planning application process, the named ecologist does not wish to insist for the PRA to be conducted. An informative has, however been added regarding roosting bats.
- 8.19 Notwithstanding, LCC Ecology's holding objection and the non-compliance with Policy DM6 of the SADMP and Paragraph 99 of Part IV of the ODPM Circular 06/2005 on balance the proposed scheme of extensions and alterations is considered to be acceptable given the circumstances.

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. Whilst the proposed development would not accord with Policy DM6 of the SADMP and Paragraph 99 of Part IV of the ODPM Circular 06/2005 on balance as the alterations to the dwelling are considered to preserve the special architectural and historic interest and therefore significance of the grade II listed building, The Farmhouse, Main Street, Thornton 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 works to which this consent relates shall be begun before the expiration of three years from the date of this consent.

Reason: To conform with Section 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The materials to be used externally shall accord with the approved application form, as received by the Local Planning Authority on the 23rd May 2025 and the approved Existing and Proposed Elevations, Drg No. 23-74.4 Rev E as received by the Local Planning Authority on the 7th July 2025.

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).

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

- Existing and Proposed First Floor Plan, Drg No. 23-74.3 Rev D as received by the Local Planning Authority on the 23rd May 2025.
- Proposed Ground Floor Plan, Drg No. 23-74.2 Rev E
- Existing and Proposed Elevations, Drg No. 23-74.4 Rev E as received by the Local Planning Authority on the 7th July 2025.

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 or call 0116 272 7533.
- b) The property is likely to be suitable for roosting bats, which are protected by law from harm. It is the applicant's responsibility to ensure that bat legislation is not breached and therefore may need to consult with a licenced bat ecologist prior to commencement to ensure that bats will not be impacted by the works. The applicant should ensure that all contractors and individuals working on the property are aware of this possibility, as works must cease if bats are found during the course of the works whilst advice from a bat ecologist is obtained. Bats are particularly associated with the roof structure of buildings, including lofts, rafters, beams, gables, eaves, soffits, flashing, ridge-tile, chimneys, the under-tile area, etc. but may also be present in crevices in stone or brickwork and in cavity walls.

