

Delegated Report

Planning Ref: 23/00634/LBC

Applicant: Burbage & District Constitutional Club

Ward: Burbage St Catherines and Lash Hill

**Site: Burbage And District Constitutional Club, Church Street,
Burbage**

Proposal: Listed Building Consent for the replacement of front door and frame



Hinckley & Bosworth
Borough Council

1. Recommendations

1.1. Grant Listed Building Consent subject to:

- Conditions outlined at the end of this report.

2. Planning application description

- 2.1.** The proposal is for a replacement front door and frame due to rotting, the replacement door is to be like for like in design and appearance.

3. Description of the site and surrounding area

- 3.1.** This proposal is located at the Burbage and District Constitutional Club, which is a grade II listed building. The proposal seeks listed building consent for a replacement front door and frame. The Constitutional Club is a building of special architectural and historic interest located within the historic core of Burbage.
- 3.2** The listed building entry (National Heritage List England (NHLE) ref 1074254) identifies the Club as "House, now club. Early to mid-C19. Red brick with rendered modillion eaves cornice and parapet to slate roof with brick end stacks and stack to left of centre. 3 storeys with slight central projection. Regular 5 window front with the outer windows on each side paired together. 3-light casements in outer bays on second floor with blind inner windows painted as glazing bar sashes and central Diocletian window. Outer and central windows on first floor are bi-partite sashes, the inner windows sashes. Flat-headed and canted windows to ground floor centre and right and 9-light casements to left. All windows have slightly segmental gauged heads. Entrances to left and right of centre with double roundarched surrounds and radiating fanlights panelled doors, that to left part-glazed. Formerly the home of George Canning, Prime Minister." The left-hand entrance door to the front elevation consists of a four panelled timber door with fanlight above. It is finished in a blue colour. Evidence suggests that the door is not the original to the building, with the panel arrangement being more late-19th century in appearance and the fittings including letter box and key plates not being early to mid-19th century. However, nonetheless the door is a feature of some limited historic and architectural interest, and it sits comfortably upon the front elevation of the listed building.

4. Relevant planning history

None

5. Publicity

- 5.1.** The application has been publicised by posting a site notice within the vicinity of the site and letters sent out to neighbours. The application was also advertised in the Hinckley Times.
- 5.2.** No comments have been received.

6. Consultation

- 6.1. HBBC Conservation Officer: HBBC Conservation: No objections. Substantive response, included within the impact upon the character of the conservation area and listed buildings section of this report. One condition requested.
- 6.2. Historic England: No comments.
- 6.3. Burbage Parish Council: No objections.

7. Policy

- 7.1 Core Strategy (2009)
 - N/A
- 7.2 Site Allocations and Development Management Policies (SADMP) DPD (2016)
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
- 7.3 National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
- 7.4 Other relevant guidance
 - Good Design Guide (2020)
 - National Design Guide (2019)

8. Appraisal

- 8.1. The key issues in respect of this application are therefore:
 - Impact upon the Listed Building and Conservation Area

Impact upon the Listed Building and 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.
- 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 Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) 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.
- 8.5 A statement has been submitted confirming that the door has a rotten frame and has security issues that are difficult to address. Whilst there may only be a relatively limited justification for the replacement of the existing door, its replacement with a door of an appropriate specification and of a style that replicates the most likely

original six panel door in this position may be acceptable in conservation terms.

- 8.6 Amended plans have been received providing details of the ironmongery and the fan light, evidencing that like for like replacements of the existing door will be present on the replacement.
- 8.7 Further details are required concerning the specification of the door, including the finish and colour of the door (a colour from the standard Georgian palette is recommended), which will be secured by way of condition at the end of this report.
- 8.8 Overall, it is considered that the principle of replacing the existing door with one of an appropriate specification to reflect the historic character and appearance of the listed building is acceptable. The fundamental aspects of the replacement door, those being the style, traditional material and retention of fanlight details (although a slight alternation to its profile is required) are acceptable, and further outstanding details can be provided via conditions.
- 8.9 For these reasons it is considered that the proposal is compatible with the significance of the grade II listed building known as The Constitutional Club and the proposal therefore 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.

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. It is considered that the proposal is compatible with the significance of the grade II listed building known as The Constitutional Club and the proposal therefore 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.

11. Recommendation

10.1 Grant Listed Building Consent subject to:

- Conditions outlined at the end of this report.

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

Heritage Statement
Amended Door Plan
Site Location Plan

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. Prior to its installation details of the finish and colour of the door shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full accordance with the approved details.

Reason: To preserve the significance of the building in accordance with the requirements of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)