

Delegated Report

Planning Ref: 24/00415/LBC

Applicant: Mr Nicholas Lees

Ward: Newbold Verdon With Desford & Peckleton



Hinckley & Bosworth
Borough Council

Site: 2 Church Lane Stapleton Leicester

Proposal: To replace existing windows with new wooden heritage windows to match existing style

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

2.1. The application seeks full planning consent to replace the existing windows with new wooden heritage windows at 2 Church Lane, Stapleton.

2.2. The proposed windows would be of the same arrangement as the existing windows, consist of slim 18mm glazing bars, single glazing and Timber material (accoya) for the windows finished in white paint

3. Description of the site and surrounding area

3.1. The application site comprises a two-storey detached dwelling situated within and outside of the settlement boundary of Stapleton.

3.2. Church Farmhouse is a grade II listed building of special historic and architectural interest which dates from the mid-18th century. The listed building entry (National Heritage List England (NHLE) ref 1307254) identifies the building as a "Farmhouse. Mid-C18. Red brick; slate roof; brick ridge stack to left of centre. 2 storeys. Regular 3-window front; glazing bar casements; 3-light ground floor windows, that to centre with segmental head, that to left with straight head and moulded surround. On the first floor the right hand window is under a gable. Segmental headed door to right of centre. Lower extension wing to the right with a single-storey lean-to building in front, extending over the right hand bay of the main house. Attached to the left is low agricultural building with a segmental-headed door."

3.3. The majority of the existing windows in situ the across the farmhouse are timber framed, single glazed, 2 and 3-light flush casements. Nearly all are replacements dating from the latter half of the 20th century, but although the windows are not historic fabric they are of a style and specification that respects the architectural interest of the listed building.

4. Relevant planning history

99/00025/FUL

- EXTENSION AND CONVERSION OF ATTACHED BARN INTO ADDITIONAL LIVING ACCOMODATION
- PER
- 19.04.1999

99/00026/LBC

- ALTERATIONS AND EXTENSIONS
- LISTED
- 19.04.1999

15/00938/HOU

- Proposed extension and alterations to a Grade II Listed building
- PER
- 20.10.2015

15/00939/LBC

- Proposed extension and alterations to a Grade II Listed building.
- LISTED
- 19.10.2015

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 objections have been received.

6. Consultation

- 6.1. Kirkby Mallory, Peckleton and Stapleton Parish Council;

- 6.2.
- No objections have been received.

- 6.3. HBBC Conservation Officer;

"It has been demonstrated that the existing windows are in a relatively poor condition and despite their style and appearance respecting the architectural interest of the listed building they are not historic windows, so it is therefore considered that the proposed replacement of the existing windows can be justified subject to a suitable specification.

Specification details for the replacement details have been provided which confirms:

- *The same arrangement as existing of lights and glazing bars for each window*
- *The use of a slim 18mm glazing bar*
- *Single glazing*
- *Timber material (accoya) for the windows finished in white paint*

Overall, it is considered that the replacement windows are suitably specified, and they would have a traditional character and appearance that respects the special interest of the listed building. For these reasons it is considered that the proposal is compatible with the significance of the grade II listed building Church Farmhouse and consequently, 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.

Further details to ensure that the replacement windows have an appropriate appearance and that the significance of the listed building is preserved include:

- *ensuring they are fitted within the same window reveal position as existing*
- *ensuring no installation of trickle vents within the windows. Any additional ventilation measures, if required, should be positioned within the window frames to ensure they are unobtrusive.*

Please could these two requirements be applied within a suitably worded planning condition.”

6.4. Historic England:

- No objections have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 13: Rural Hamlets

7.2. 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

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- 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 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 205-208 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 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.
- 8.6 The proposal seeks consent to replace the existing windows with new wooden heritage windows to match the existing style of the dwelling. The proposed windows would be of the same arrangement as the existing windows, consist of slim 18mm glazing bars, single glazing and Timber material (Accoya) for the windows finished in white paint
- 8.7 It has been demonstrated that the existing windows are in a relatively poor condition and despite their style and appearance respecting the architectural interest of the listed building they are not historic windows, so it is therefore considered that the proposed replacement of the existing windows can be justified subject to a suitable specification.
- 8.8 Overall, it is considered that the replacement windows are suitably specified, and they would have a traditional character and appearance that respects the special interest of the listed building. For these reasons it is considered that the proposal is compatible with the significance of the grade II listed building Church Farmhouse and consequently, 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.

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. By virtue of their design, scale and position the proposed windows are considered to be compatible with and would preserve the special architectural and historic interest and therefore significance of the grade II listed building, Cob Cottage, 36 Main Street, Newbold Verdon. The proposals are considered to be in accordance with Policies DM1, DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16 and 66 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990 and are therefore recommended for listed building consent 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 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 1st May 2024.

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:

- Site Location Plan
- Design and Access Statement
- Heritage Statement
- Photos of existing window and proposed replacements
- Richmond Window 1 Specification
- Richmond Window 2 Specification
- Richmond Astragal Details
- Horizontal Cross Sections
- Vertical Cross Sections
- Window Paint Colour - Lawrence

all as received by the Local Planning Authority on the 1st May 2024.

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).

4. Notwithstanding the submitted plans, any replacement windows shall be fitted within the same window reveal position as the existing.

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).

5. Notwithstanding the submitted plans, no installation of trickle vents shall be fitted within the windows. Any additional ventilation measures, if required, should be positioned within the window frames to ensure they are unobtrusive.

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.