

Delegated Report

Planning Ref: 24/00278/LBC

Applicant: Mr Sam Smith

Ward: Ambien

Site: 68 Main Street, Higham On The Hill

Proposal: Replace all windows and front door, rebuild existing chimney stack and additional timber french doors, single door and 3 velux windows to rear elevation.



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 the replacement of all windows and front door, rebuild existing chimney stack and additional timber french doors, single door and 3 velux windows to rear elevation.

3. Description of the site and surrounding area

- 3.1. 68 Main Street 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 1074257) identifies the building as "Cottage, probably formerly cottage pair. C18. Painted roughcast with plain tile roof and tall brick stack at left hand end. 2 storeys. Irregular fenestration of 3 windows on both floors with louvred shutters. Half-glazed door in segmental-headed surround to left of centre. Included for group value."

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. The application was also advertised in the Hinckley Times. Letters were also sent to neighbouring properties.
- 5.2. One comments received which raised concerns of increased traffic whilst the works take place.

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.
- 6.2. Historic England: No comments.

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) (Dec 2023)
 - 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 68 Main Street 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 1074257) identifies the building as “Cottage, probably formerly cottage pair. C18. Painted roughcast with plain tile roof and tall brick stack at left hand end. 2 storeys. Irregular fenestration of 3 windows on both floors with louvred shutters. Half-glazed door in segmental-headed surround to left of centre. Included for group value.”
- 8.3 The existing windows on each elevation are single glazed timber casement windows, the majority of which have multi-glazing bars and cottage style proportions, having been installed at varying periods during the 20th century. These windows respect the architectural interest of the listed building. A small number of windows have been installed during the latter half of the 20th century, and these lack the glazing bar detail, have a functional appearance, and are of no particular heritage interest. The existing timber front door has a top multi-bar glazed section and panelled section below, so although again not likely to be historic fabric, it does respect the architectural interest of the building. Overall, much of the building fabric is in a poor condition, including all windows and doors which demonstrate significant sections of wood rot and the tall brick chimney stack for which there are structural concerns.
- 8.4 Section 66 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.
- 8.5 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.
- 8.6 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.

- 8.7 The proposal is to replace the existing windows across all elevations, on the rear elevation install three roof lights and replace two ground floor windows with a single door and set of French doors, and rebuild the chimney stack.
- 8.8 The rebuilding of the chimney stack is a welcomed work of repair that will result in the long-term conservation of this feature of heritage interest. On the rear elevation the insertion of the two doors, in place of windows, will respect the plan form of the building by retaining openings for fenestration in the same position as existing, and the part glazed / part panelled style of the doors have traditional and appropriate characteristics. The visual impact from the proposed roof lights is limited due to their positioning on the rear elevation of the building, and subject to their positioning in between any timber rafters will ensure there is no adverse impact upon historic building fabric. The principle of these proposed works is considered to be acceptable.
- 8.9 It has been demonstrated that the existing windows and doors are in a poor condition and despite some respecting the architectural interest of the listed building all are not likely to be viable to repair. It is therefore considered that the proposed replacement of the existing windows and door can be justified subject to a suitable specification.
- 8.10 Details of the specifications have been submitted and have been confirmed as acceptable by the HBBC Conservation Officer.
- 8.11 Overall, it is considered that the principle of replacing the windows and front door, inserting two doors on the rear elevation, and inserting three roof lights on the rear elevation would be works that are compatible with the significance of the grade II listed building 68 Main Street. Consequently, the proposal complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 66 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 structure and the proposal therefore complies with Policies DM11 and DM12 of the SADMP, section 16 of the NPPF and the statutory duty of Section 66 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:

Application Form received 26.03.2024
Design and Access Statement received 26.03.2024
Heritage Statement received 26.03.2024
Site Location Plan received 26.03.2024
Ground Floor and First Floor Plan received 26.03.2024
Existing and Proposed Elevations Rev 01 received 07.05.2024
Specification Details received 12.06.2024

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).