

Conservation Officer comments for: 23/00667/FUL & 23/00668/LBC

Proposal:

23/00667/FUL: Change of use of the Old Rectory from a dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1), erection of two single storey classrooms, a Multi-Use Gaming Area (MUGA), revised parking layout with electric charging points, widening of access, replacement perimeter fencing and external landscaping, works to trees and other works

23/00668/LBC: Change of use of The Old Rectory from dwellinghouse (Class C3) to a Specialist Education Needs (SEN) School (Class F1), alterations to the building and other works within the curtilage of listed building

Site: The Old Rectory, 8 Rectory Lane, Market Bosworth

Date Submitted: 11/10/2023

These applications seek permission for the change of use of the Old Rectory from a house into a SEN school and within the grounds of the Rectory the erection of two single storey classrooms, a MUGA, revised parking layout, widened access, replacement perimeter fencing and landscaping works. The Old Rectory is a grade II listed building located within the Market Bosworth Conservation Area.

Site context and significance

The Old Rectory is a large single dwelling located to the east of historic core of Market Bosworth. It is situated within a generously sized, landscaped plot with access via ornate gates from Rectory Lane along the northern boundary. To the east are the rear gardens of the modern residential properties on Cedar Drive, to the west are two buildings set within their own grounds (Southlands and the Old Rectory Coach House) and to the south there is a low-level garden to the Old Rectory with views out into the wider countryside beyond.

The Old Rectory is a listed building of special architectural and historic interest. The listed building entry (National Heritage List England (NHLE) ref 1361308) identifies the building as:

“Rectory. 1849. Red brick with stone dressings. Slate roof with stone coped gable ends: Brick axial and gable end stacks. Double depth plan of 2 parallel ranges with central entrance hall and with service wing to right (west). Tudor style.

2 storeys. 3:3 bay north front. Symmetrical 3-bay main range to left, the centre in - gabled projection with moulded stone 4-centred arch doorway with hoodmould and shallow oriel above with 3-light mullion transom window. Cross-mullion transom windows to left and right with margin glazing bars. Service wing set back on right, similarly gabled at centre and with smaller cross mullion transom windows with glazing bars. Rear garden front (south), centre of main range recessed slightly at centre with oriel over doorway. 2-storey canted bay window to right, and gabled projection to left with shallow bay window on ground floor with large 4-light mullion transom window, and 3-light window above with nowy-headed hood- mould. Service wing set back slightly to left with 2 mullion transom windows on ground floor and smaller 2-light sashes on first floor, all with glazing bars.

Interior: Moulded plaster arch across hall which has large open well, moulded string

staircase at back with twisted balusters and panelled newels with ogee finials and pendants. Most of the original joinery survives including panelled doors and there are some marble chimneypieces. The north east ground floor room has large safe with iron door built into the wall."

A Heritage Statement (HS) has been submitted with the application. The statement adequately describes the significance of the heritage assets affected by this application which satisfies the requirements of Policy DM11 of the Site Allocations and Development Management Policies DPD and paragraph 194 of the National Planning Policy Framework.

The HS identifies that the original rectory was demolished in 1845-49 and rebuilt under the influence of the Oxford Movement with some of the building materials of the previous rectory being reused in the current property. Where there was the opportunity to build a new rectory, it would typically be a generous detached house set in pleasure grounds with a coach house, stables and gardens as at Market Bosworth.

The HS summarises the heritage significance of the building, including its aesthetic and architectural value resulting from its mid-19th century construction and features, its illustrative historic interest demonstrating the development of Market Bosworth and the Oxford Movement's influence of the design of clergy accommodation, and its associative historic interest through its close association with the Dixie family. The Old Rectory has however been subject to extensions and alterations during the 20th century and no longer fully retains its original plan form or appearance. Certain alterations and additions, including the swimming pool extension, do not contribute to the special interest of the building.

There are also features located within the curtilage of the site and its wider setting that contribute positively to the heritage significance of the Old Rectory. The rear garden has a terrace with modern balustrade wall and stairs from the terrace down to the lawn, from which there is an extensive view to the south into the countryside where the agricultural and rural setting of Market Bosworth can be appreciated. There are mature trees around most of the perimeter of the gardens which contribute to the semi-rural character of the site and offer considerable visual amenity. Conversely due to the relatively narrow gap along the rear garden boundary and the preponderance of trees within the site and within the wider countryside there are no clear views within the site and of the rear elevation of the Old Rectory and its rear garden from the wider area. To the front the carriage turn has been modified but remains extant and the modern brick wall and gate piers, which flank ornate gates, are an excellent and imposing feature which encloses Rectory Lane. The Old Coach House building to the west is an interesting curtilage listed structure with planning approval recently granted for its sensitive conversion and extension to a single dwelling.

The Old Rectory is located within the Market Bosworth Conservation Area. The Market Bosworth Conservation Area Appraisal (MBCAA) (2014) identifies the impressive grounds around the Old Rectory as a key space and the trees around the perimeter of the grounds as important trees. Despite its status there is a general lack of visibility of the building from outside its grounds due to the tall walls along Rectory Lane and the preponderance of trees along the boundary. However, as summarised within the HS the Old Rectory holds historic value to appreciating the development of Market Bosworth, and due to its architectural and aesthetic value and the impressive verdant grounds the Old Rectory and its setting provide a positive contribution to the character and appearance of the Market Bosworth Conservation Area.

Relevant Acts, National and Local Policies and Guidance

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.

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.

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.

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. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

The proposal and its impact upon the significance of affected heritage assets

The Old Rectory

The proposed development comprises of the conversion of the Old Rectory from a residential dwelling to a school. The works required to facilitate this include creation of partition walls within the entrance hall and subsidiary rooms across both floors to create new spaces and rooms, encasing features including the main stair balustrade, installing independent walls and suspended ceilings to allow for service runs, changes within the modern extension to create a dining area, and the removal of some doors and creation of others throughout. Some features of special interest do remain in the meeting room adjacent to the main entrance, with the lathe and plaster ceiling, existing coving, fireplace and window surrounds all retained and unaffected, and elsewhere in the building there are other limited historical features including skirtings which are to be retained and repaired as required.

The proposals will involve sub-division of a number of rooms, which would result in an alteration to the building's historic spatial organisation. However, as noted within the heritage statement the original plan form of the building has been greatly altered over time, and these latest proposed changes do not drastically alter this arrangement, with the best-preserved room in terms of plan form being the meeting

room which remains unaltered in terms of its arrangement and the internal features of interest contained within it. Elsewhere through the Old Rectory in other rooms where the relatively limited number of historic features and fabric remain they are either unaffected by the proposal or low impact and reversible works are proposed.

The sole change to the external elevation of the building effects the front elevation and comprises the blocking up of the garage doors within the modern extension and replacement with top light windows surrounded by timber cladding. The proposed works to the external elevations of the building are considered to result in a very limited visual change to the building.

Overall, it is considered that the proposed works to the listed building will have no more than a negligible and not adverse impact upon its special interest, and therefore the works are compatible with its significance. However, if the application is to be approved the recommendation by Leicestershire County Council Planning Archaeology that a programme of historic building recording be secured via a condition and completed prior to alteration to record and advance the understanding of the significance of the building is a reasonable request.

Setting of the Old Rectory

A range of works are proposed within the grounds of the Old Rectory.

To the front the site entrance would need to be widened to allow for larger vehicles to enter the site necessitating the removal of the existing gates and modern brick gate piers and reinstating wider gates on the earlier phase brick gate piers. This proposal would lead to the loss of no significant fabric and subject to an appropriate specification and design of the replacement gates, which should be influenced by the existing, the positive role the gates play to the significance of the site could be retained. Should the application be approved the details and specification of the replacement gates and the arrangement with the gate piers should be secured via a planning condition prior to the commencement of the development.

Car parking is proposed within the front garden of the Old Rectory, consisting of a Geocell surface designed to be low impact and minimal disturbance to retained trees. The layout of the carriage turn would remain discernible as part of the parking arrangements but when occupied there would be a considerable number of parked vehicles to the front of the site altering views in from Rectory Lane and there would be a considerable increase in activity to the front of the Old Rectory arising from the development altering its currently clearly domestic and relatively tranquil setting.

To the rear of the Old Rectory it is proposed to site two single storey rectangular plan classrooms to south-east, a play area at the bottom of the existing steps, and a MUGA closer to the rear boundary in the south-western corner of the site. The classrooms would be clad in cedar with artificial slate roofs. Whilst it is clear that consideration has been given to the siting, scale and appearance of these features in an attempt to minimise impacts upon the setting of the Old Rectory intervisibility between them would be clear and apparent, they would be rather an uncharacteristic presence, and as per the impacts to the front there would again be an increase in activity to the rear of the Old Rectory altering its currently clearly domestic and relatively tranquil setting. However, due to the siting of the structures to the rear the extent of the extensive countryside view to the south would remain, which would not be inhibited to any particular degree by the necessity for a security fence placed within the retained rear boundary hedgerow due to the relatively low height of the fence.

Throughout the site it is proposed to remove a number of mature trees due to their conflict with the proposed layout. Whilst a reduction to the number of trees proposed to be lost has been made by the applicant, including no loss of any category A or B trees, there will still be a minor reduction in the level of contribution they make to the semi-rural character of the site and the level visual amenity they offer to the setting of the Old Rectory.

For the above reasons it is considered that the proposal would have a harmful impact upon the significance of the Old Rectory resulting from adverse changes to its setting. The magnitude of the harm is considered to be relatively minor, and as such the level of harm is considered 'less than substantial' in terms of the NPPF and towards the lower end of this spectrum of harm.

Market Bosworth Conservation Area

The impacts of the proposal upon the significance of the conservation area are considered similar to the impacts upon the setting of the Old Rectory given their shared characteristics and the contribution these characteristics make to both heritage assets. The sense of enclosure to the Rectory Lane street scene offered by the front boundary walls and trees would be retained and not adversely affected depending on a suitable specified arrangement for the replacement front entrance gates. However, the introduction of the classrooms, play area and MUGA to the rear of the Old Rectory, and extensive car parking to the front would adversely alter the character of the key space surrounding the building and the loss of a number of trees within the grounds and around the perimeter would reduce the level of contribution these important features make to the significance of the conservation area.

For the above reasons it is considered that the proposal would result in a harmful impact upon the significance of the Market Bosworth Conservation Area, although given the impact of upon the conservation area as a whole the magnitude of the harm is considered to be minor. As such the level of harm is considered 'less than substantial' in terms of the NPPF and at the lower end of this spectrum of harm.

Summary and harm vs benefit exercise

Given that it has been identified that less than substantial harm to the significance of the grade II listed building the Old Rectory and the Market Bosworth Conservation Area would result from the proposal, as per Policy DM11 of the SADMP and paragraph 202 of the NPPF the harm caused should be weighed against the public benefits of the proposal.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 8). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and enhancing the historic environment – paragraph 20), such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- Reducing or removing risks to a heritage asset
- Securing the optimum viable use of a heritage asset in support of its long-term conservation

The proposal has been designed to ensure that much of the remaining heritage interest and significance of the Old Rectory is sustained via its conversion and

alteration to form the special educational needs school, and such a use is generally compatible with the physical fabric of the building whilst ensuring it remains in long-term occupation. The proposal could therefore demonstrate some heritage benefit at a level to be defined. It is likely that non-heritage public benefits would arise from the proposal, including the social benefit arising from providing specialist education to meet such need. The level of public benefits arising from the proposal should be identified by the decision-taker and weighed against the harm caused in the balancing exercise, noting that great weight should be given to the preservation of a designated heritage asset (as per paragraph 199 of NPPF) to reflect the statutory requirements of Sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 in that balancing exercise.

Ultimately the balancing exercise is a matter for the decision-taker. If the exercise comes out in favour of the proposal, then it would comply with Policies DM11 and DM12 of the SADMP DPD, section 16 of the NPPF and the statutory requirements of Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Should the applications be approved then the planning condition regarding historic building recording as requested by LCC Planning Archaeology should be applied, as should a condition securing details of the replacement gates to the site frontage with suggested wording as follows (please alter accordingly if required):

Condition: Prior to the commencement of the development details of the replacement gates and works to the gate piers at the site entrance from Rectory Lane 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.

The details shall include:

- *Elevational and sectional drawings to a recognised scale*
- *The materials, colour and finish of the gates and gate piers*

Reason (for the full application): To preserve the significance of the Market Bosworth Conservation Area in accordance with the requirements of Section 72 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)

Reason (for the LBC application): To preserve the significance of the listed building and its setting 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)