

Delegated Report

Planning Ref: 23/00474/LBC

Applicant: Mr & Mrs Brown

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: 163 The Park Market Bosworth Nuneaton

Proposal: Proposed single storey rear extension and alterations to Grade II Listed Dwelling

1. Recommendations

1.1. Grant Listed Building Consent subject to:

- Conditions outlined at the end of this report,

2. Planning Application Description

- 2.1. This application seeks Listed Building Consent for extensions and alterations to 163 The Park, Market Bosworth. 163 The Park is a Grade II Listed Building that is located within the Market Bosworth Conservation Area.
- 2.2. This scheme is an alteration of the design of the previously approved planning application, 22/00076/HOU. The existing garage is now retained on site, and the proposed basement level of the scheme has been removed.
- 2.3. The development is single storey extension to the side and rear of the host dwelling, which externally measures 15.1m in width x 7.9m in depth, with a total footprint of 104.6sqm. The scheme utilises a flat roof that has a maximum height of 3.4m.
- 2.4. The design of the extension also features stone piers that rise above the main extension to create separation between the three components of the scheme (the kitchen, dining room, and living room). Each component is set back by 0.5m from the previous component to the east and the stone piers reflect the stone used in the existing dwelling. The stone piers rise to a height of 4.4m, and the brick finish on the front elevation rises to a height of 3.7m.
- 2.5. The development is separated from the Listed Building by a 3.5m wide x 1.6m deep glazed link block, which provides access to the existing property, the new extension and to the historic enclosed courtyard to the rear of the house. To facilitate this glazed link, the existing uPVC conservatory and ancillary outbuilding are demolished.
- 2.6. The proposal also includes the replacement of the existing hedge in the western side garden of 163 The Park with a beech hedgerow that is maintained at a minimum height of 2m.
- 2.7. The scheme is constructed out of satin black ID system windows and sliding doors, Clipsham Bidwell Cream Sawn Walling Stone, reclaimed red engineered brick, dark porcelain slabs for the external patio area and frameless glass balustrading with brush chrome handrails.
- 2.8. This application is in conjunction with the householder planning application, 23/00473/HOU.

3. Description of the Site and Surrounding Area

- 3.1. 163 The Park is a Grade II Listed Building of special architectural and historic interest sited at the end of a ribbon of development forming the eastern entrance to the settlement of Market Bosworth and its associated conservation area. The application site is bound by open countryside to the north, east and south, and there are a number of modern dwellings to the west on the approach into Market Bosworth.
- 3.2. The Listed Building entry (National Heritage List England (NHLE) ref 1074288) identifies 163 The Park as a:
- “House, or lodge to Bosworth Park, circa 1890 in a neo-Dutch style. Brick with stone dressings and slate roof. Square in plan, symmetrical about each axis, each elevation comprising an ornate Dutch gable. Doorway in bolection moulded architrave flanked by 4-light stone mullioned and transomed window, and capped by one also, above a cartouche of stone with scrolled volutes. Side elevations each also contain 4-light mullioned and transomed windows. Hipped roof rises to central stack with terracotta panels and stone decorative bands. Stone modillion eaves cornice.”*
- 3.3. The Market Bosworth Conservation Area was designated in 1974 and subsequently extended in 2014 in recognition of the special historic and architectural interest of the area. The Market Bosworth Conservation Area Appraisal (MBCAA) (2014) identifies that a key aspect of the historic significance and character of Market Bosworth is how its development has been influenced by its location as a ridge top settlement, its agricultural economy and the strong manorial tradition based on Bosworth Hall within its parkland setting. The application site forms a key component of the setting of the area to the east of the conservation area, with the Listed Lodge marking the beginning of the village development, which is very tightly restricted to the north side of the road.
- 3.4. The MBCAA identifies that there are important views of each elevation of the Lodge which can be seen on both entering and leaving the village. From the west, the view of the Lodge has been carefully preserved by the retention a large garden at the side of the property. The garden also extends to the front of the property where its front elevation can be fully appreciated over a hedgerow and metal railings. The Lodge marks the entrance to the village and conservation area when approaching from the east, although views are slightly more restricted to the upper floors and roofscape due to the presence of some vegetation. On this approach, the flat roofed garage, located just to the north of the Lodge, is a rather incongruous presence within its setting, which is in contrast to the splendid avenue of mature trees which extended westwards on both sides of The Park from the Lodge. A rather unsympathetic conservatory has also been added to the rear elevation of the Lodge during the latter half of the 20th century.
- 3.5. When first constructed the Lodge was isolated but has subsequently been brought closer to the settlement through the construction of the 20th Century ribbon development along the north of The Park. However, despite this, the Lodge remains sited in a spacious plot with well-maintained garden to the side, front and rear which allows for some appreciation of its previous historic function and more isolated nature.
- 3.6. Due to its special architectural and historic interest of 163 The Park and the character of the plot within which it sited it is considered that the application site makes a positive contribution to the significance of the conservation area.

4. Relevant planning history

23/00587/HOU

- Extension to existing garage and removal of tree
- Awaiting Decision
- TBD

23/00473/HOU

- Proposed single storey rear extension and alterations to Grade II Listed Dwelling
- Awaiting Decision
- TBD

23/00217/DISCON

- Application to fully discharge conditions 3 (Materials) and 4 (Landscaping) and partially discharge condition 6 (Archaeology) relating to planning permission 22/00076/HOU
- Split Decision
- 20.04.2023

22/00077/LBC

- Single storey extension and alterations to Grade II Listed Building
- Permitted
- 23.09.2022

22/00076/HOU

- Single storey extension and alterations to Grade II Listed Building
- Permitted
- 18.10.2022

22/00071/LBC

- Replacement front door, internal panelling and secondary glazing to windows
- Permitted
- 09.09.2022

18/01157/HOU

- Demolition of existing single garage and carport and erection of outbuilding to be used as an annexe
- Permitted
- 28.01.2019

14/01251/HOU

- Demolition of existing single garage and carport and erection of outbuilding to be used as an annex
- Permitted
- 05.04.2015

14/00002/PP

- Erection of a dwelling with associated access and parking
- Appeal Dismissed
- 08.07.2014

13/01027/FUL

- Erection of a dwelling with associated access and parking
- Refused
- 30.01.2014

13/00502/FUL

- Erection of one dwelling and detached garage
- Withdrawn
- 16.07.2013

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.

5.2 No responses have been received.

6. Consultation

6.1 Market Bosworth Parish Council have objected to the development on the following grounds:

- The development decontextualises and negatively impacts the Listed gate pillars to the side of the property.
- The proposal is contrary to, and in conflict with, Policy CE1(a) of the Market Bosworth Neighbourhood Plan Policies, which states that, *"All new development in Market Bosworth should be in keeping with its Character Area with regards to scale, layout, and materials not retain local distinctiveness and create a sense of place."*
- The scheme is not sympathetic to the character of the approach into Market Bosworth as identified on Page 3 of *An Appraisal of the character of the Approaches to Market Bosworth Conservation Area (2013)*.
- Overbearing scale.
- Overdevelopment.
- Significant adverse harm to the character and setting of a Listed Building.

Market Bosworth Parish Council have also requested that the application is considered in conjunction with planning application 23/00587/HOU, which further negatively impacts the character of the Market Bosworth Conservation Area.

6.2 Market Bosworth Society have also objected to the application on the following grounds:

- Harm to a key view and vista at the entrance to the Market Bosworth Conservation Area.
- Introduction of unnatural features that are incompatible with the existing building.
- Significant adverse harm to the character and setting of a Listed Building.
- The application is in conflict with, and contrary to, Policies DM10, DM11, and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD (2016).

6.3 There have been no objections from the following consultants:

- Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer
- Leicestershire County Council (LCC)'s Archaeology Team (subject to conditions)

6.4 HBBC Conservation

As this proposal does not include any extensive excavations in comparison to the previous planning permission 22/00076/HOU, the Council's Conservation Officer does not consider a Construction Method Statement to be necessary.

It is considered that the removal of the unsympathetic conservatory attached to the listed building and the implementation of a number of minor but sympathetic alterations to the building will preserve and enhance its special architectural and historic interest. For these above reasons it is considered that the proposal is compatible with the significance of the grade II listed building known as 163 The Park 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.

6.5 LCC Archaeology

LCC Archaeology have stated that the Written Schemes of Investigation (WSI) which were produced in support of the previous planning permissions, 22/00076/HOU and 22/00077/LBC, are satisfactory to support the current planning application. However, the programme for post-investigation publication and dissemination and deposition of the resulting material remains as an outstanding element of the archaeological work. This is secured via planning condition within planning application 23/00473/HOU.

6.6 Historic England and the Lead Local Flood Authority have not commented on the application.

6.7 No further responses have been received.

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)
- National Design Guide (2019)

7.4 Other relevant guidance

- Good Design Guide (2020)

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 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 special features of special architectural and historic interest which it possesses.

- 8.3 Section 16 of the Nation Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. When considering the impact of a proposed development on the significance of a designated historic asset, great weight should be given to the asset's conservation (Paragraph 193).
- 8.4 Policies DM11 and DM12 of the Site Allocations and Development Management Policies 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 Specifically, DM12 refers to Heritage Assets and development proposals affecting heritage assets and their settings. For Listed Buildings development will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.
- 8.6 Policy DM10(c) of the SADMP states that developments will be permitted where they complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.7 Planning permission 22/00076/HOU and Listed Building Consent 22/00077/LBC are a material consideration within this current planning application. These extant planning permissions permitted a single storey extension to the side and rear of 163 The Park that was 0.6m smaller in width and 0.3m smaller in depth, which ultimately made the development 8sqm smaller in footprint than the new revised scheme. The height of the flat roof, the brick wall on the front elevation and the stone pillars remains the same as those approved in 22/00076/HOU.
- 8.9 The development utilises the same design, landscaping, and use of materials as the previously approved scheme. The materials utilised within this application were approved via 23/00217/DISCON. The use of the reclaimed red bricks from the demolished outbuilding is considered to preserve the character and significance of the Listed Building.
- 8.10 The removal of the conservatory structure reveals the original rear wall of the Lodge, and this is readable and discernible through the proposed glazed link to the new extension. The existing conservatory has no merit in terms of historical significance, so its removal has a positive impact on the significance of the Listed Building.
- 8.11 The reinstatement of the door between the proposed study and utility room can be undertaken without any loss of historic fabric. Furthermore, this enhances the overall significance of the Listed Building because it restores its historic floor plan and circulation route. The alterations to create a WC within the proposed utility room are regarded as having a neutral impact, with no loss of historic fabric and no material impact on the floor plan of the house.
- 8.12 The overall design of the proposal has a modern aesthetic that provides a distinct contrast to the principal Listed Building. This design does not compete with the architectural style of the existing property and allows the significance of the building to be clearly appreciated. Despite the contemporary form and appearance of the

extension, the feature stone walls, and brick front walls match and complement the materials of the Listed Building.

- 8.13 The proposed glazed link is a relatively modest, small scale and contemporarily styled structure that does not affect any historic fabric or architectural features and does not materially harm the character or appearance of the existing house and its setting.
- 8.14 To conclude, it is considered that the proposal is compatible with the significance of the Listed Building known as 163 The Park, Market Bosworth, and therefore 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 Building 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 The proposal is compatible with the significance of the Listed Building known as 163 The Park, Market Bosworth, and therefore 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 Building and Conservation Areas) Act 1990.

11. Recommendation

11.1 **Grant Listed Building Consent** subject to:

- 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 development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details received by the Local Planning Authority as follows:
 - Existing Plans & Elevations, Drg No. 21/52 01A (submitted: 18.05.2023)
 - Scheme 4 – Floor Plan / Elevations / 3D View – Drg No. 21/52 25A (submitted: 12.05.2023)
 - Site Location Plan – Drg No. 21 52 11 (submitted: 12.05.2023)
 - Site Plan – Drg No. 21/52 26 (submitted: 12.05.2023)

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).

a. **Notes to Applicant:**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.