

Delegated Report

Planning Ref: 24/00128/FUL
Applicant: Mrs S Walton
Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: 5 Wheatsheaf Courtyard, Market Bosworth

Proposal: Replacement of windows and doors



Hinckley & Bosworth
Borough Council

1. Recommendations

1.1. Grant Planning Permission subject to:

- Planning conditions outlined at the end of this report.

2. Planning Application Description

2.1. This application full planning permission for replacement of windows and doors at 5 Wheatsheaf Courtyard, a Grade II Listed Building.

2.2. The proposal affects the existing left hand side ground floor timber framed shop window on the front elevation, the timber framed casement windows on the first and second floors of the front elevation, and the ground floor doors within the rear range that face into Wheatsheaf Courtyard.

3. Description of the Site and Surrounding Area

3.1. The application site is located within the settlement boundary and Conservation Area of Market Bosworth.

3.2. The Wheatsheaf is a grade II listed building which dates from the late-18th century. The listed building entry (National Heritage List England (NHLE) ref 1074298) identifies the building as a "Pair of shops, formerly inn, with central entry to rear courtyard".

3.3. The special architectural and historic interest of these buildings is readily appreciated from their front elevation which faces out into the market place, this being the central historic core of the village and the Market Bosworth Conservation Area. Due to their special interest the buildings are considered to make a positive contribution to the character and appearance and thus significance of the conservation area.

4. Relevant Planning History

None.

5. Publicity

5.1. The application has been publicised by sending out letters to local residents. A site notice was posted within the vicinity of the site and a notice was displayed in the local press.

5.2. No letters of representation were received.

6. Consultation

- HBBC Conservation – no objection.
- Historic England – no comment.
- The Market Bosworth Society – no objection.

- Market Bosworth Parish Council – no objection.

7. Policy

7.1. 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
- Policy DM23: High Quality Shop Fronts and Advertisements

7.2. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2023)
- Planning Practice Guidance (PPG)

7.3. Other relevant guidance

- Good Design Guide SPD (2020)
- National Design Guide (2019)
- Market Bosworth Conservation Area Appraisal and Management Plan

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact on the character of the area and Heritage Assets

Assessment against strategic planning policies

- 8.2. The proposal is located within the settlement boundary of Market Bosworth and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.

Design and impact on the character of the area and Heritage Assets

- 8.3. The application unit is a Grade II Listed Building which is located within the Conservation Area of Market Bosworth. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 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 Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 8.4. Section 12 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.
- 8.5. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced. Policy DM10 of the SADMP seeks to

ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features with the intention of preventing development that is out of keeping with the surrounding area. Policy DM23 of the SADMP seeks to maintain high levels of design and ensure local distinctiveness for proposals for new and refurbished shop fronts.

- 8.6. The application building lies within the Historic Core Character Area and is part of an important and prominent building within Market Bosworth's Conservation Area.
- 8.7. The existing windows proposed to be replaced are of limited heritage interest, and in regard of the shopfront window and the doors to the courtyard they are in varying states of disrepair.
- 8.8. Historical evidence, including photographs, demonstrate that upon the upper floors to the front elevation sash windows with multiple glazing bars used to be in situ, with this window style being more typical of a building of late-18th century age.
- 8.9. 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 by reinstating an evidenced earlier style of window which is more contemporary with its original age. The replacement doors are also suitably specified, and they would have a traditional character and provide a consistent appearance of entrance to the courtyard units. The replacement shop front window has a traditional frame material and would maintain the character and appearance and form of the existing shop front.
- 8.10. For the above reasons it is considered that the proposal is compatible with the significance of the grade II listed building known as The Wheatsheaf and it would preserve the character and appearance and thus significance of the Market Bosworth Conservation Area. Consequently, the proposal complies with Policies DM10, DM11, DM12 and DM23 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 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.

10. Conclusion

- 10.1. Alterations to listed buildings are acceptable in principle if it can be demonstrated that the proposal would not detract from its architectural or historical character.

- 10.2. The proposal is compatible with the significance of the grade II listed building known as The Wheatsheaf and it would preserve the character and appearance and thus significance of the Market Bosworth Conservation Area.
- 10.3. The proposal is considered to be in accordance with Policies DM10, DM11, DM12 and DM23 of the SADMP, section 16 of the NPPF and the statutory duty of Sections 16, 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposal is therefore recommended for 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 development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of 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:

- Site Location Plan (Received on 07/02/2024)
- Proposed Elevations: Drg No. 02 (Received on 07/02/2024)
- Window Specifications (Received on 07/02/2024)
- Further Window Specification (Received on 20/03/2024)
- Window Vent Example (Received on 20/03/2024)
- Email regarding window specification agreement (Received on 20/03/2024)

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD.

11.3. 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.
2. The replacement of any windows and doors not included in approved drawings shall require Listed Building Consent. In view of the siting of the building alongside Market Place, none of the windows or doors should be hung so that they open outwards.