

Delegated Report

Planning Ref: 24/00129/LBC
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 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 at 5 Wheatsheaf Courtyard for replacement of windows and doors.

2.2. A Planning and Heritage Statement has been submitted to support the application.

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 also 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.
- HBBC Pollution – 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)

8. Appraisal

8.1. Key Issues

- Impact upon the Grade II Listed Building and its setting

Impact upon the Grade II Listed Building and its setting

4.1. The application unit is a Grade II Listed Building which is located within the Conservation Area of Market Bosworth. The proposal is for replacement of 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 The Wheatsheaf Courtyard.

8.2. 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.

8.3. 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.

8.4. 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.

- 8.5. 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.
- 8.6. 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.
- 8.7. 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.
- 8.8. Overall the works are compatible with the significance of the building and therefore the proposal complies with Policies DM1, DM10, DM11, DM12 and DM23 of the SADMP, section 12 of the NPPF and the statutory duty of Section 66 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.
- 9.3. There are no known equality implications arising directly from this development.

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. By virtue of the design, sympathetic materials and finishes the proposal would preserve the architectural and historical character and setting of the Grade II listed building. The proposal would be in accordance with Policies DM1, DM10, DM11, DM12 and DM23 of the SADMP and the overarching principles of Section 12 of the NPPF. The proposal is therefore recommended for approval subject to conditions.

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 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 18 of the Planning (Listed Building and Conservation Areas) Act 1990.

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 define the permission for the avoidance of doubt and to preserve the architectural and historic character of the building in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document.

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.