

**Planning Committee 21 September 2021
Report of the Planning Manager**

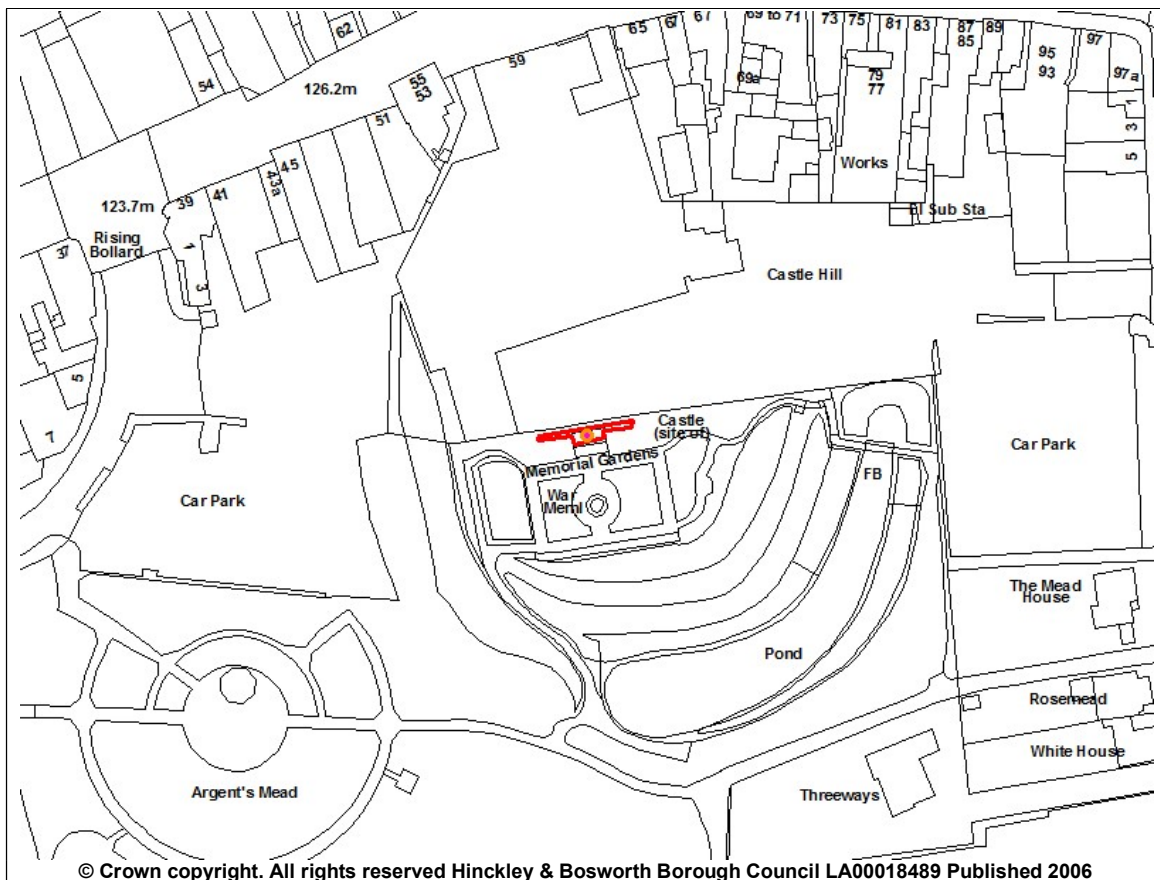
**Planning Ref: 21/00639/LBC
Applicant: Mr Paul Scragg (HBBC Green Space)
Ward: Hinckley Castle**



Hinckley & Bosworth
Borough Council

Site: War Memorial Argents Mead Hinckley

Proposal: Repair/replacement works to stone War Memorial: Replacement of carved lettering within existing stone fascia; removal and replacement of stone panels and surrounding pointing located either side of memorials central feature.



1. Recommendations

1.1. Grant listed building consent subject to:

- Planning conditions outlined at the end of this report

1.2 That the Planning Manager be given powers to determine the final detail of planning conditions.

1.3 That the Planning Manager be given powers to issue permission subject to conditions if there are no further comments made by 23.09.2021. However, if valid objections are received within that period to bring the report back to Committee.

2. Planning application description

- 2.1. This application seeks Listed Building Consent for the completion of essential repairs and re-instatement of key features of the memorial wall that forms part of the Hinckley War Memorial Located within Hinckley Memorial Gardens and the wider Argents Mead.
- 2.2. The existing projecting lettering of the lower stone band has largely perished with lettering coming away from the face of the memorial and some of the stone work on the flanking walls has become weathered and unsightly. The proposed works are to cut out and undertake full replacement of the lettering panel in an Ancaster stone with the lettering inscription to match the existing script and stone sizes. The failed pointing to four panels on either side of the memorial is also to be cut out and new stone panels inserted to replace the facing sections of four failed ashlar panels alongside consolidating any surrounding cracked stone. The panels will be of Clipsham stone and repointed in a hot lime mortar.

3. Description of the site and surrounding area

- 3.1. The Hinckley War Memorial Wall is located within the historic core of the town centre in a civic space known as the memorial gardens and Argent Mead. The War Memorial Wall is a grade II listed building, designated due to its historic and architectural interest and its group value given its location close to the Hinckley War Memorial as a complimentary commemorative structure.
- 3.2. The listed building entry (NHLE 1074225) identifies the building as "War Memorial. Circa 1920. Stone wall with lower balustrade topped wings. Central entablatured wall on bolection moulded base, reached by a wide flight of steps. Row of panels with central inscribed stone cross flanked by copper panels recording the names of the fallen in the Great War. Band below inscribed with 'THE NAMES OF THOSE WHO GAVE THEIR LIVES IN THE GREAT WAR'. Inscription 'THEIR NAME LIVETH FOR EVER MORE' in frieze above. Copper panels at foot of wall recording names of those who died in the Second World War. Included for group value."

4. Relevant planning history

91/00443/4

- Retention of Workroom and Store
Permitted
04.06.1991

5. Publicity

- 5.1. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. The site notice was posted 03.09.2021 and the statutory time limit for comments to be received by the LPA will be 21 days from this date: 23.09.2021, this time period however surpasses this committee date. If the planning committee agrees to the officer's recommendation for this Listed Building Consent application, and no further comments are received, a decision notice will be issued upon the date the site notice expires (23.09.2021).
- 5.3. No comments have been received to date; however, if valid objections are received after the committee's decision, comments will be re-reported to planning committee to consider before any subsequent decision is issued.

6. Consultation

- 6.1. Historic England

- No comments or observation. Referred to advice
- 6.2. HBBC Conservation Officer
- No harm to the fabric of the Listed Building and supports the proposal.
- 7. Policy**
- 7.1. Core Strategy (2009)
- None relevant
- 7.2. Site Allocations and Development Management Policies 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)
- 7.4. Other relevant guidance
- Good Design Guide (2020)
 - National Design Guide (2019)
- 8. Appraisal**
- 8.1. Key Issues
- Impact upon heritage assets
- 8.2 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.
- 8.3 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.
- 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 As per HBBC Conservation Officer's Advice, it is considered the stone for the proposed repairs are from quarries local to the original Edith Weston stone quarry (now closed) used for the memorial and will be an appropriate match in terms of texture and colour. The proposed works are appropriately specified and will ensure that the memorial is in an improved condition to allow for its commemorative function to continue for current and future generations.
- 8.6 The works are compatible with the significance of the grade II listed building known as the Hinckley War Memorial Wall and the proposal 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.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 application would not have an adverse impact on the heritage asset being compatible with its significance and complies with Policies DM11 and DM12 of the SADMP, Section 16 of NPPF and the statutory duty of Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. Recommendation

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

- Planning conditions outlined at the end of this report

11.2 That the Planning Manager be given powers to determine the final detail of planning conditions.

11.3 That the Planning Manager be given powers to issue permission subject to conditions if there are no further comments made by 23.09.2021. However, if valid objections are received within that period to bring the report back to Committee.

11.4 **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: Location plan and proposed block plan, both received by the Local Planning Authority 17.05.2021, Proposed Elevations- 4. No annotated photographs

showing location of proposed plaques and repairs, submitted to the Local Planning Authority 28.08.2021.

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The materials to be used on the external elevations of the proposed extension and alteration shall accord with the approved Proposed Elevations- 4.No annotated photographs received 28.08.2021 or otherwise the details within the listed building consent application form submitted as part of this approved application, received by the Local Planning Authority 17.05.2021.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.5 **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.