

Planning Committee 7th May 2024
Report of the Head of Planning

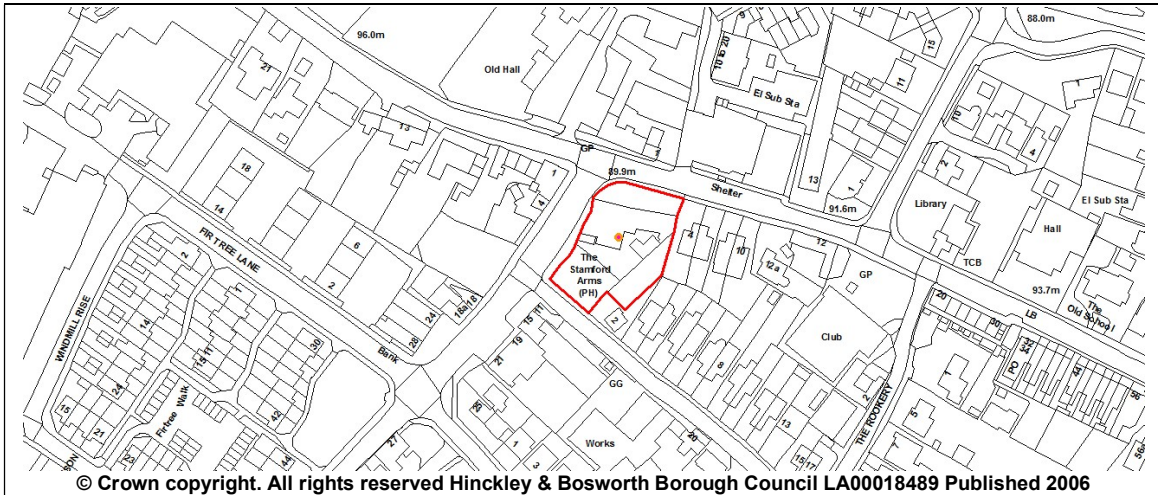
Planning Ref: 24/00122/LBC
Applicant: Mr Ian Everington
Ward: Groby



Hinckley & Bosworth
Borough Council

Site: Stamford Arms 2 Leicester Road Groby

Proposal: Proposed extension and alteration to existing public house to provide additional deli/coffee shop floorspace.



1. Recommendations

1.1. Grant Listed Building Consent subject to:

- Conditions outlined at the end of this report.
- That the Head of Planning be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. This planning application seeks Listed Building Consent for extensions and internal alterations to provide a new deli and coffee shop (Use Class E) on the eastern corner of the site into and within the existing external kitchen and compound of an existing Grade II Listed public house, the Stamford Arms, 2 Leicester Road, Groby. This proposal increases the public area of the application site from 227sqm to 354sqm and the footprint of the building by 29sqm.

2.2. To facilitate this development, the following alterations are taking place:

- The replacement of existing bi-fold doors with new timber bi-fold windows and a new cavity wall to cill height.
- The excavation of all existing external flooring and existing raised slab to outbuildings and the provision of new insulated concrete floor slabs to create a level floor throughout.
- The in-fill of all existing openings to create new picture windows, together with new entrance door.
- Insulation and under draw of existing pitched roof and the provision of new velux rooflights.
- Open up existing brick wall and stone buttress to create new full height door and window unit, with lintels over to suit to create emergency exit/access.

- The creation of new areas including kitchen and WCs that connect to existing services and new servery with 100mm thick stud partition that allow for all power supplies and mechanical extraction to connect to existing services.
- New flat roof construction with a GRP finish.
- The cold store is replaced, and relocated to the north of the property, but to the south of the beer garden, within the existing compound of the site.

2.3. This application for listed building consent is associated with full planning application 24/00121/FUL.

3. Description of the Site and the Surrounding Area

3.1. The 2,262sqm application site is located on a prominent corner within the identified settlement boundary and historic core of Groby and the Groby Conservation Area respectively. The adopted Core Strategy (2009) classifies Groby as a Key Rural Centre.

3.2. The application site itself comprises of The Stamford Arms, which is an existing Grade II Listed Public House. The Listed Building Entry (National Heritage List England (NHLE) Ref 116067) identifies the building as:

“Public House. Late C18, raised and altered C20. Red brick in Flemish bond, slate roof with 2 brick gable stacks. 2 storey plus attics, 3 bay front having central C20 door in pedimented wooden surround with console brackets, flanked by single canted bay windows with hipped slate roofs and glazing bar casements with segmental arched heads. In the roof three C20 flat roofed casement dormers.”

3.3. The Listing Description identifies that the significance of the building is predominantly inherent within the historic and architectural interest of the original late C18 building, which occupies the north-western corner the site. The original building has been adapted and extended considerably to the side and rear over time to suit its use, and whilst such extensions predominantly have a traditional function, form, and appearance, which ensures they sit comfortably against it, they are less of less heritage than the original building itself.

3.4. Due to the dominant presence of the original building within the historic core of the village at the corner of Leicester Road and Ratby Road and its special historic and architectural interest, the Stamford Arms contributes positively to the character and appearance of the Groby Conservation Area

4. Relevant Planning History

4.1 24/00121/FUL

- Proposed extension and alteration to existing public house (Sui Generis) and change of use to deli/coffee shop (Use Class E)
- Awaiting Decision
- TBD.

4.2 19/00755/LBC

- Replacement and new signs with associated lighting
- Permitted
- 12.11.2019

4.3 14/01242/LBC

- Partial removal of boundary wall
- Permitted
- 06.02.2015

4.4 **14/01152/FUL**

- Change of use of land from garden associated with 2 Rookery Lane and the creation of beer garden to The Stamford Arms and associated engineering works, including the removal of a wall.
- Permitted
- 06.02.2015

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 There have been five objections to the application on the following grounds:

- Harm to the character and significance of the Grade II Listed Building.
- Harm to existing commercial businesses within Groby.
- Highway safety concerns.
- Insufficient off-street parking.
- Monopolisation of the village.
- The use shall compete with other shops and facilities in the area including the Groby Library Café, and thereby reducing their viability and increasing the risk of the loss of amenities in Groby.
- The Public House already serves coffee, tea, and cakes.

The Planning Officer notes that concerns regarding highway safety, off-street parking provision, and the commercial impacts of the scheme on other commercial uses within Groby are not a material consideration within Listed Building Consent Applications. However, further consideration of the comments is detailed within the Officer's Report for the associated full planning application, 24/00121/FUL.

6. Consultation

6.1 Hinckley & Bosworth Borough Council (HBBC)'s Conservation Officer had no objections to the development.

6.2 Historic England did not comment on the scheme.

7. Policy

7.1 Core Strategy (2009):

- N/A

7.2 Site Allocations and Development Management Policies Development Plan Document (SADMP) (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) (December 2023)
- Planning Practice Guidance (PPG)

7.4 Other Relevant Guidance:

- Good Design Guide (2020)
- National Design Guide (2019)

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 National Planning Policy Framework provides the national policy on conserving and enhancing the historic environment. Heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.
- 8.4 Therefore, Paragraph 205 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be. Paragraph 206 of the NPPF states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification. The need for clear and convincing justification is re-iterated in Policy DM12 of the SADMP.
- 8.5 Nevertheless, Paragraph 212 of the NPPF confirms that local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 8.6 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.
- 8.7 Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. All proposals for extensions and alterations of listed buildings and development affecting the setting of Listed Buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.8 The proposals are located within the eastern corner of the application site and the existing storage building, the external kitchen, and the associated compound are considered to be of limited heritage asset.
- 8.9 The scheme does not extend beyond the existing building lines of the side and rear elevations of the property. Ultimately, it is considered that these works, and the internal alterations and works that form the arrangements for the deli/coffee shop, are considered to retain the plan form of the Listed Building.

8.10 The alterations to the fenestration to facilitate the new use are also considered to respect the character and appearance of the existing windows and doors across the building. As the character and appearance of the building is maintained and the arrangements of the existing development are not extended any closer to Leicester Road or Ratby Road, it is not considered that there is any adverse impact from the proposal upon the significance of the heritage asset.

8.11 For the reasons above, it is considered that the proposal is compatible with the significance of the Grade II Listed Building, the Stamford Arms, and it is likely to preserve the significance of the Groby Conservation Area. Therefore, the scheme is considered to be in accordance with Policies DM10, DM11, and DM12 of the SADMP, Section 16 of the NPPF, and the statutory duties of Section 16, 66, and 72 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.

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 The Stamford Arms and therefore the proposal complies with Policies DM11 and DM12 of the SADMP, Section 16 of the NPPF and the statutory duty of Sections 66 and 72 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:

- Block Plan (submitted: 09.02.2024)
- Existing Elevation (submitted: 09.02.2024)
- Existing Ground Floor (submitted: 09.02.2024)
- Location Plan (submitted: 09.02.2024)
- Proposed Block Plan (submitted: 09.02.2024)
- Proposed Dual Compartment Cold Room Floor Plan and Elevation (Rev A) (submitted: 18.04.2024)
- Proposed Elevation (submitted: 09.02.2024)
- Proposed Ground Floor Plan 3404-02 (Rev E) (submitted: 18.04.2024)

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).