

**All Councillors are summoned to a**  
**BURTON OVERY PARISH COUNCIL (Extra-Ordinary) MEETING**  
**on Monday 23<sup>rd</sup> August 2021 at 7.30 p.m. at Burton Overy Village Hall**

21/083. Apologies for absence

21/084. Questions from members of the public

21/085. Declarations of Members interests

21/086. To approve as a correct record the minutes of the meeting held on 10.08.21 **Appendix A**

21/087. Planning matters – to consider any pending planning consultations

- a. Planning Application Reference - **21/01392/FUL**- Demolition of existing dwelling and erection of a replacement dwelling; change of use of part of field to garden land and associated landscape works (revised scheme of 18/01516/FUL) **Appendix Bi - Biii**

21/088. Leicestershire County Council Members' Highway Fund **Appendix C**

21/089. Councillor Vacancy

21/090. To endorse / approve payments due during August. **Appendix D**

21/091. To confirm the date of the next meeting – 21<sup>st</sup> September 2021.

21/092. To consider, if necessary, a resolution to exclude the press and public from the meeting in accordance with the Public Bodies (Admission to Meetings) Act 1960, s1, should any items be considered of a confidential nature.

Members of the public and press may attend this meeting although Covid-secure measures will be in place in the village hall.  
(The wearing of face coverings is encouraged in any confined areas within the village hall)

The meeting may be recorded, filmed or broadcast provided that such activity does not impede the conduct or business of the meeting.

All appendices may be seen on the website or by contacting the Clerk.

Clerk to the Council  
Tel 07827 797125  
Email: [clerk@burtonoverypc.org.uk](mailto:clerk@burtonoverypc.org.uk)  
[www.burtonoverypc.org.uk](http://www.burtonoverypc.org.uk)

18.08.21

# BURTON OVERY PARISH COUNCIL

## MINUTES OF (extra-ordinary) MEETING HELD – Tuesday 10<sup>th</sup> August 2021 at 7.30pm

**Present:** Cllr Bob Warwick  
Cllr Sarah Rankine  
Cllr Dave Fletcher  
Cllr Bob Pain  
The Clerk and one member of the public

**21/075 Apologies** – None

**21/076 Questions from members of the public** – no questions were raised by the member of the public present at the meeting although he expressed an intention to comment on the planning matter listed on the agenda.

**21/077 Declarations of interest** – none

**21/078 Approval of Minutes of the parish council meeting on 20.07.21** –  
Approved and signed by Cllr Warwick.

**21/079 Planning matters to consider** –  
Planning Application Reference - 21/01299/TEL - Notification to determine if Prior Approval is required for the installation of a 20m slim-line monopole supporting 6 no. antennas, 2no. transmission dishes, 2 no. equipment cabinets and ancillary development thereto including 1 no. GPS module and 3 no. Remote Radio Units.

The chairman gave an overview of the proposal and the limited issues which can be taken into account in respect of such applications.

After detailed discussion of the relevant issues it was resolved to submit concerns / objections to the proposal on the following grounds: -

- The narrowness of the grass verge at the proposed site and its proximity to the junction of Washbrook Lane and Oaks Road;
- Conflict with the Burton Overy Neighbourhood Plan Policy ENV 6;
- Lack of consideration of realistic alternative sites in the near vicinity;
- Difficulties in maintaining the hedgerow and ditch adjacent to the site should approval be given;
- The inappropriate use of steel bollards on the roadside of the proposal.

**21/080 - Items for the next agenda** – Planning application reference 21/01392/FUL  
– Demolition of existing dwelling and erection of a replacement dwelling;

change of use of part of field to garden land and associated landscape works (revised scheme of 18/01516/FUL)

**21/081 - Date of next meeting - Monday 23<sup>rd</sup> August 2021 at 7.30pm**

**21/082 - Exclusion of the Public**

No confidential matters were considered at the meeting.

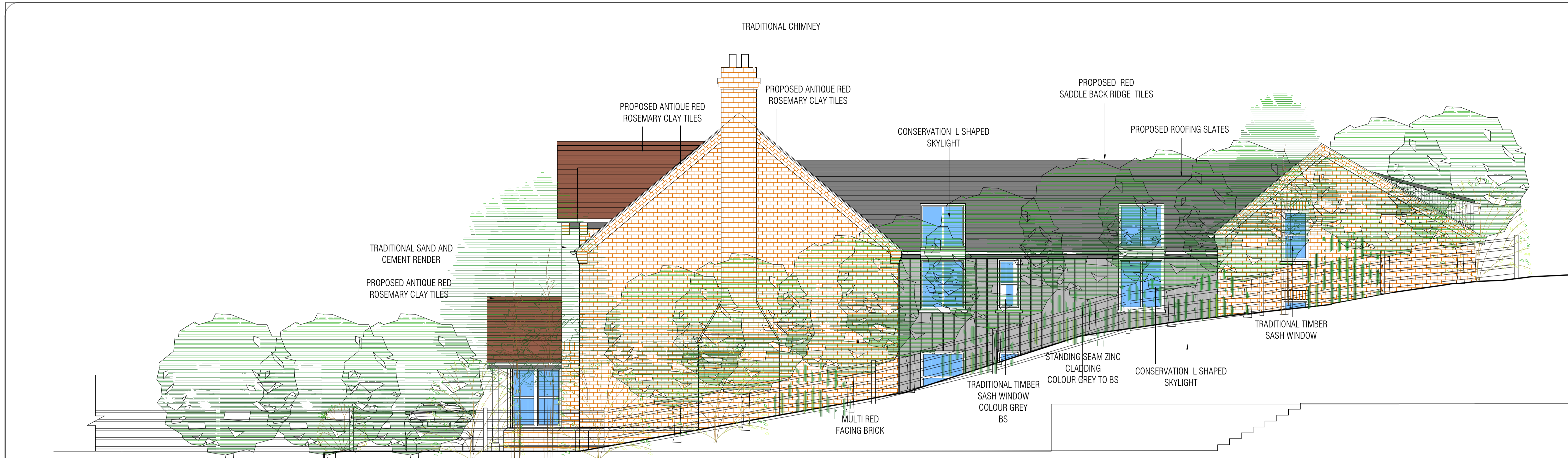
**The meeting finished at 8.38pm**

**Signed**

**Date**


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PROPOSED FRONT ELEVATION

This Drawing is The Copyright & Must Not Be Reproduced Without Their Permission. Figured Dimensions Must Be Taken In Preference To Scaled Dimensions & All Dimensions Must Be Verified On Site Prior To Commencing Any Works.

|  |        |                                   |   |  |
|--|--------|-----------------------------------|---|--|
| PROJECT<br><b>PROPOSED NEW DWELLING</b>              | CLIENT | DRAWN<br><b>B.T.</b>              | <b>KUNSTLER DESIGNS ARCHITECT</b><br>31 Rutland Street<br>Leicester<br>LE1 1RE<br>Mob : 07979592398 | DRAWING No.<br><b>9210/08</b>  |
| TITLE<br><b>SCOTLAND HOUSE, BURTON OVERY, LEICS.</b> |        | CHKD<br><b>B.T.</b>               |   | <br><b>KUNSTLER DESIGNS ARCHITECT</b> |
|  |        | DATE<br><b>24/08/2020</b>         |   |  |
|  |        | SCALE @ A1<br><b>SCALE@ 1:100</b> |   |  |
|  |        | REV.<br><b>REV</b>                |   |  |



## Planning Statement

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Demolition of existing dwelling and erection of a replacement dwelling with an attached garage, and change of use of part of field to residential curtilage and associated landscape works

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**Scotland House, Lower End, Scotland Lane, Burton Overy, Leicestershire, LE8 9DR**

Prepared by:  
**GC Planning Partnership Ltd**  
Bedford I-Lab, Priory Business Park, Stannard Way,  
Bedford MK44 3RZ

**June 2021**

## Introduction

1. This application submission is for the demolition of an existing dwelling-house and the erection of a replacement dwelling-house.
2. The application also proposes the change of use of part of a field to residential curtilage and associated landscape works.
3. This application follows on from a previous scheme for a similar proposal granted in 2018 – the relevant details are provided below.

## The Previous Scheme

4. Planning permission was previously granted in September 2018 (Council Reference: 18/01516/FUL) for a similar proposal for a replacement dwelling. This is an extant permission. In this connection, in terms of the current scheme, the principle of proposed development is acceptable.
5. In terms of materials, the previous scheme consisted of a combination of red clay and slate roof tiles, facing brickwork together with a natural silver weathered cedar finish, grey aluminium windows and a rolled steel cladding external finish for the chimney. The scheme also included a car port structure consisting of an oak frame and red clay roof tiles.

## The Current Proposal

6. Although the current scheme would have a larger footprint compared to the previously approved scheme, it is noted that the additional footprint would generally be situated in the west and north-west portions of the dwelling which would be not viewable from any public vantage points to the front, along Elms Lane or along the public footpath on the eastern boundary of the site. In terms of the most prominent elevations of the dwelling (the front

elevation and side (east facing) elevation, these would be a similar in size and length to the dwelling on the previously approved scheme.

7. In terms of the design and choice of materials, the form of the dwelling has been broken up into three distinct portions; the front, middle and rear. The front and rear portions would incorporate a combination of grey and multi red facing brickwork as well as antique red rosemary clay roof tiles. The middle portion would incorporate a combination of grey coloured standing seam zinc cladding and dark grey coloured slate roof tiles. The dwelling would also incorporate traditional timber sash window designs.

#### Impact Upon the Character and Appearance of the Conservation Area

8. The character and appearance of the surrounding area provides the design context for the proposal. Once the context has been assessed along with the character and appearance of the site, it is then appropriate to assess the features of the proposal under consideration in terms of its design, which includes the form and function, physical and human relations with the site.
9. The existing two-storey detached dwelling consists of a combination of facing brickwork to the external walls, and flat and pitched roof designs. The overall design of the dwelling is considered to have little architectural merit and the current condition of the dwelling means that the introduction of a replacement dwelling with a good overall design would promote a significant enhancement in the overall visual appearance of the site.
10. The surrounding dwellings consist of a mixture of different architectural designs, features and choice of materials, therefore there is no distinct architectural style with distinctive or defining characteristics. Surrounding dwellings consist of a mixture of brickwork, render and varying roof designs including pitched, hipped and flat roofs.

11. To summarise, the proposed replacement dwelling would promote a significant enhancement in the overall visual appearance of the site. The existing boundaries will be retained, and no trees of significance are proposed to be removed. The proposed development area is on the northern boundary of the Conservation Area and is largely invisible from within the Conservation Area by virtue of the large amounts of well-established trees, landscaping and hedging which ensure the application site is generally heavily screened from the street scene in Elms Lane and along the public footpath that runs along the eastern boundary of the site. The proposal would therefore result in no harm to the character and appearance of the conservation area.

#### Impact Upon Neighbouring Properties

12. By virtue of the physical distances between the dwelling and the other neighbouring properties, there would be no resulting material harm to the living conditions of occupiers of any of these neighbouring sites.

#### Conclusion

13. The proposed development would be appropriate in the context of the site and the wider area. The proposal would be acceptable in principle and would not result in any material harm to the character and appearance of the area. It would accord with the aims and objectives of the National Planning Policy Framework and the relevant development plan policies.





## Heritage Statement

Demolition of existing dwelling and erection of a replacement dwelling, and change of use of part of field to residential curtilage and associated landscape works at Scotland House, Lower End, Scotland Lane, Burton Overy, Leicestershire, LE8 9DR



Prepared by:  
**GC Planning Partnership Ltd**  
Bedford I-Lab, Priory Business Park, Stannard Way,  
Bedford MK44 3RZ

**June 2021**

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## 1.0 INTRODUCTION

1.1 The statement is structured as follows:

- 1.0 Introduction
- 2.0 Statutory Constraints
- 3.0 Methodology
- 4.0 Planning Policy
- 5.0 The Historic Environment – Setting and Significance
- 6.0 Impact Upon the Setting and Significance
- 7.0 Conclusion

1.2 This Heritage Statement has been prepared to support an application for planning permission for the demolition of an existing dwelling and erection of a replacement dwelling, and change of use of part of field to residential curtilage and associated landscape works at the site known as Scotland House, Lower End, Scotland Lane, Burton Overy, Leicestershire, LE8 9DR. The site lies within the Burton Overy Conservation Area.

1.3 This heritage statement identifies the significance of the historic environment, to fulfil the requirement of paragraph 189 of the National Planning Policy Framework (The Framework), which requires:

*“an applicant to describe the significance of any heritage assets affected, including any contribution made to their setting.”*

1.4 To inform an assessment of the acceptability of the proposed development regarding its impact on the historic environment, in line with paragraphs 189 to 196 of the Framework, any harm to the historic environment resulting

from the proposed development is described, including impacts on significance through changes to setting.

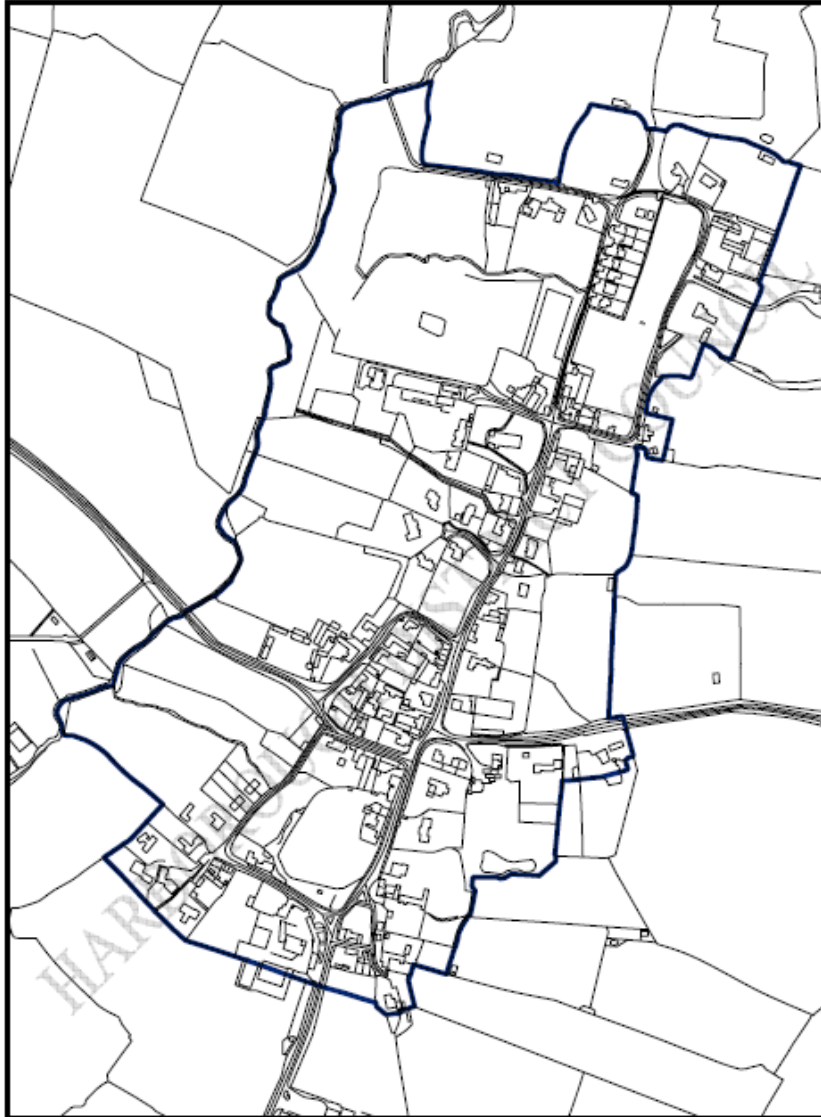


*View of the front elevation of the existing dwelling taken from the junction of Scotland Lane and Elms Lane*

#### Site Location

- 1.5 The application site contains a detached two-storey dwelling-house with an attached double garage and is situated at the junction of Scotland Lane and Elms Lane. Scotland Lane and Elms Lane are single-track roads characterised by sporadic development consisting of single detached dwellings or small groups of detached dwellings fronting the road. In locations where there are no dwellings, the road is lined with tall hedging and trees which give a distinctive rural character.
  
- 1.6 The site is located within the Burton Overy Conservation Area, specifically at the northern end of the conservation area. A detailed assessment of the

conservation area and character appraisal of the northern part of the conservation area is made in Section 5.0 of this statement.



*Map showing the Burton Overy Conservation Area*

- 1.7 In the immediate and surrounding area to the west, east and south of the application site are a mixture of detached bungalows and detached two-storey dwellings out varying sizes which incorporate varying architectural styles built during different time periods set within plots of varying sizes and widths.

## **2.0 STATUTORY CONSTRAINTS**

2.1 There is a statutory duty under the provisions of Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 for special regard to be given to the desirability of preserving listed buildings and their settings or any features of special architectural or historic interest which it possesses.

2.2 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on a decision maker to pay special attention to preserve or enhance the character or appearance of the conservation area.

### 3.0 METHODOLOGY

#### Sources of information

3.1 The following sources of information have been used to identify the designated heritage assets within the locality:

- ❖ The Leicestershire and Rutland Historic Environment Record
- ❖ The National Heritage List for England

#### Assessment of Significance and Articulation of Value

3.2 The Framework defines significance as:

*“the value of a heritage asset to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting.”*

3.3 In terms of articulating value, Historic Environment Good Practice Advice in Planning Note 2: Managing Significance in Decision Taking in the Historic Environment (attached to Appendix GC-1) gives advice on the assessment of significance as part of the application process.

3.4 In understanding the nature and level of significance of a heritage asset Planning Note 2 identifies four types of heritage value an asset may hold, these are: aesthetic, communal, historic and evidential.

3.5 Evidential value is the potential of a place to yield evidence about past human activity. This value is derived from physical remains, such as archaeological remains, and genetic lines.

- 3.6 Historical Value is the way in which past people, events and aspects of life can be connected through a place to the present. It would be illustrative or associative. Illustration is the perception of a place as a link between the past and present people and depends upon visibility. In contrast, associative value need not necessarily be legible as an asset, but gives resonance through association with a notable family, person, event or movement. For example, the association of Chartwell, now owned by the National Trust, with Winston Churchill.
- 3.7 Aesthetic value is the ways in which people draw sensory and intellectual stimulation from a place.
- 3.8 Communal value is the meanings of a place for the people who relating to it, or for whom it figures in the collective experience or memory.
- 3.9 Significance results from a combination of any, some or all the values described above.
- 3.10 Listed buildings are designated for their special architectural or historic interest.

### **Setting and Significance**

- 3.11 The Framework stipulates that significance derives not only from a heritage asset's physical presence, but also from its setting. Setting of a heritage asset is defined at Annex 2 of the Framework as *"the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may contribute to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."*



3.12 Therefore, setting can contribute to, detract from or be neutral with regard to heritage values, and therefore change to setting has the potential to reduce, enhance, or leave unchanged the significance of a heritage asset through change to the value.

3.13 The contribution of how setting contributes to value is assessed in this statement with reference to Historic England's Planning Note 3 – The Setting of Heritage Assets taking account of the checklist given on page 9. In order to articulate the setting of heritage assets Planning Note 3 advocates that this relates to what matters and why. A stepped approach is advocated of which Step 1 is to identify the heritage assets affected and their settings. Step 2 is to assess 'whether, how and to what degree settings make a contribution to the significance of the heritage asset(s). Step 3 is to assess the effect of the proposed development on the significance of the assets(s) and Step 4 is 'maximising enhancement and minimising harm'. Step 5 is 'making and documenting the decision and monitoring outcomes'. Planning Note 3 is attached to Appendix GC-2.

3.14 Four levels of significance are identified, these are:

1. **Designated heritage assets of the highest significance** comprising Grade I and II\* Listed buildings; Grade I & II\* Registered Parks and Gardens; Scheduled Ancient Monuments; Protected Wreck Sites, Registered Battlefields and some conservation areas;
2. **Designated heritage assets of less than highest significance** comprising Grade II Listed Buildings and Grade II Registered Parks and Gardens and some conservation areas;
3. **Non-designated heritage assets** such as archaeological remains and locally listed buildings.

**4. Sites, buildings or areas of no heritage significance.**

**Assessment of Harm**

3.15 The assessment of harm is articulated in terms of policy and law that the proposal will be assessed against. As part of this, setting may be a consideration.

3.16 The following levels of harm may potentially be identified: substantial harm, less than substantial harm, and no harm. There are differing levels of impact within each of these categories.

**Historic Environment Record**

3.17 A search of the local HER records, specifically the Leicestershire and Rutland Historic Environment Record, within 250m from the application site identified 5 records as shown in the table below –

| Entry Description   | Details   |
|---|---|
| <p><b>Medieval village earthworks north of Scotland</b></p> | <p>The village street runs SSW and NNE and at its north end it continues as a hollow way, with two more hollow ways (a) and (b) diverging to its left and right. Hollow way (b) curves back southwards, enclosing an area of old enclosures, while on its north side is a house platform (c), and to the east is another (f). Hollow way (a) is flanked on its north side by a complex of building platforms (d) and on the south side by another platform (e) in a field with more terraces which may contain the sites of old buildings. "North of the Rectory is an area of levelled terraces around (g), suggesting the former sites of buildings</p> |

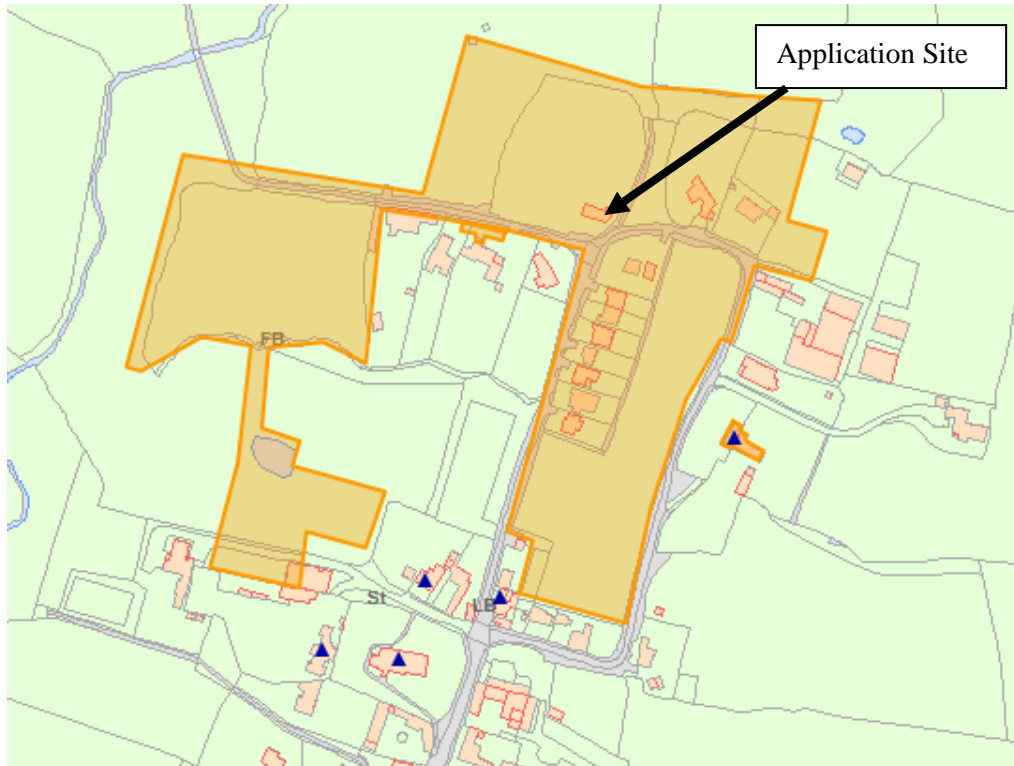
|   |  |
|---|--|
|   | <p>or gardens, while to the east across the main street are two more house platforms (h) and (i). South west of the Rectory is a field called "The Banks", which has been a Scheduled Monument for many years. This now seems most likely to be the remains of a medieval or early post-medieval garden, with long, narrow fishponds at (j) and (k) running along the slope and enclosing an area of hillside. It is possible that the features north of the Rectory at (g) may have been a continuation of the prominent banks at (k). A garden of this size would have been associated with a large manor house, probably in the area south of St. Andrew's Church, where there are more foundations at (l) and building platforms at (m, n, o). The field to the south has two more small house platforms at (p) and (q).</p> |
| <p><b>The Elms, Elms Lane (East Side)</b></p> | <p>House. Late C18, with earlier origins. Red brick and Welsh slate and Swithland slate roofs with brick end stacks. Stone-coped gables and parapetted cornice with dentils and guttae alternated. 3 storeys and basement, of three 8/8 sash windows with 4/4 sashes on second floor. Gauged brick lintels. Central wooden doorcase with pilasters and flat bracketed canopy. 6-panelled door with fanlight. Three square stone steps. Stone mullion basement window on right end. 2 and 1 1/2 storey wings to rear, the lower part of former with diapered brickwork on rubble stone plinth. Inglenook fireplace inside.</p>  |
| <p><b>Possible medieval/post-</b></p>         | <p>An aerial photograph shows a possible hollow way here to the north-west of the village.</p>   |

|   |   |
|---|---|
| <b>medieval hollow way, north-west of Scotland</b>                    |   |
| <b>Former farmhouse to the east of Thistle Cottage, Scotland Lane</b> | <b>Thatched C18th brick farmhouse. Aerial photographic records indicate it was standing, but in a poor state of repair in 1969. Demolished by 1991.</b> |
| <b>C17th/C18th bridge, Farm Bridge</b>                                | <b>A probable late C18th brick footbridge</b>   |

**National Heritage List for England**

3.18 There are 5 listed buildings within 250m from the application site as identified in the table below –

| <b>Address</b>   | <b>Grade</b> |
|--|--------------|
| <b>Church of St. Andrew, Main Street, Burton Overy</b> | <b>II*</b>   |
| <b>The Old Rectory, Scotland, Burton Overy</b>         | <b>II</b>    |
| <b>Ivy Cottage, Scotland, Burton Overy</b>             | <b>II</b>    |
| <b>1 Scotland Lane, Burton Overy</b>                   | <b>II</b>    |
| <b>The Elms, Elms Lane, Burton Overy</b>               | <b>II</b>    |



Source: Heritage Gateway – Map indicating the location of all heritage findings as identified in this statement

Key:

- Local HER Record Polygons
- Listed Building (NHLE)

## 4.0 PLANNING POLICY RELATING TO THE HISTORIC ENVIRONMENT

### National Planning Policy Framework (2019)

- 4.1 Paragraphs 184 to 202 set out policy for development affecting heritage assets.
- 4.2 Paragraph 189 states *“in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.”*
- 4.3 Paragraph 190 states *“local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset’s conservation and any aspect of the proposal.”*
- 4.4 Paragraph 192 sets out three matters that local planning authorities should take account of when determining planning applications. These are:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

- The positive contribution that conservation and heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

4.5 Paragraph 193 indicates that great weight should be given to the conservation of heritage assets. The more important the asset, the greater the weight should be.

4.6 Paragraph 195 stipulates that where a proposal would lead to significant harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent. Whereas, paragraph 196 proposes that where a development proposal will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

4.7 Paragraph 197 confirms that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

#### **The Development Plan**

4.8 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. The Development Plan consists of the Harborough Local Plan 2011 to 2031 (adopted in April 2019).

## Harborough Local Plan 2011 to 2031

### 4.9 Policy HC1 – Built Environment

1. Development affecting heritage assets and their settings will:
  - a. be appraised in accordance with national policy; and
  - b. be permitted where it protects, conserves or enhances the significance, character, appearance and setting of the asset, including where possible better revealing the significance of the asset and enabling its interpretation.
2. Where the proposed development would lead to substantial harm to (or total loss of significance of) a designated heritage asset and/or its setting, planning permission will not be granted unless:
  - a. The proposed development demonstrates that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh the harm or loss; or
  - b. The nature of the heritage asset prevents all reasonable uses of the site; and
  - c. No viable use of the heritage asset can be found in the medium term through appropriate marketing that will enable its conservation; and
  - d. Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
  - e. The harm or loss is outweighed by the public benefits of bringing the site back into use.

Where the proposed development would lead to less than substantial harm to the significance of a designated heritage asset and/or its setting, this harm will be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.



3. Development within or affecting a Conservation Area will be permitted where it preserves or enhances the character or appearance of the Conservation Area, including local design and materials.

4. Development affecting the significance of a non-designated heritage asset and/or its setting will have regard to the scale of any harm or loss and the significance of the non-designated heritage asset.

5. Development which enhances the local and regional role of Foxtan Locks and the former inclined plane as a tourism and recreational facility, and which maintains and enhances the value, importance and integrity of these heritage assets will be permitted.

## 5.0 HISTORIC ENVIRONMENT – SETTING AND SIGNIFICANCE

5.1 This section considers the significance of the conservation area and the identified heritage assets which are within the setting of the site.

### **Burton Overy**

5.2 Burton Overy is seven miles south-east of Leicester. The village stands on rising ground which forms the eastern slope of the Sence valley. The soil consists largely of boulder clay, overlying Lower Lias clay and limestone, but the village itself is situated mainly on a patch of gravelly soil.

5.3 The buildings are mostly of red brick but there are at least 8 houses which are wholly or in part timber-framed. In general, these are rectangular three-bay buildings of post and truss construction without cross-wings, having steeply-pitched roofs which were originally thatched. None appears to date from before the 17th century.

5.4 In addition to the Rectory, which is the most imposing house in the village, there are several houses with good Georgian brick fronts. These include Manor Farm, a mid-18th-century building east of the church, The Elms, a late-18th-century private residence, White House Farm, and Burton House.

5.5 A little to the west of the present village, on either side of the stream which traverses the parish, are some earthworks, now known as the Banks. On the east side of the stream the earthworks consist of a bank and ditch forming a large enclosure in the shape of a rough square, with sides about 300 ft. long. On the west of the stream the surviving remains consist only of banks and mounds in which no definite plan can be traced. The site may have been partly occupied by the medieval hall of the Noveray manor, probably moated, and the water mill mentioned in 1440. The evidence provided by the earliest

buildings in the present village is consistent with a move towards the higher ground in the 17th century.

### **Burton Overy Conservation Area**

- 5.6 Although linked to other villages by very minor roads, Burton Overy gives the impression of being a cul-de-sac village; indeed the northern part of the village is so. The village has a tapering linear form 0.8km long with a long loop at its northern end and two significant loops at the wider southern base forming back lanes. Granite kerb and brick walls are a feature on many of the village streets. The building development runs along Main Street around the loops and along short cul-de-sac lanes leading of the main thoroughfares.
- 5.7 The buildings of the village display considerable variety in age, style, building materials and relationship with the streets. Some are close against the road, as the range in Bell Lane and adjacent Main Street, others are set back with small front gardens, others are further back, often at a higher level. The slight curves in the roads and the changes in levels, as southwards from the church, result in attractive groupings and placing of buildings. There are several examples of the timber frame tradition of the 16th and 17th centuries with brick and mud infill panels and partitions; these are thatched and include South View standing high near the southern entrance to the village and the former butcher's shop and cottage in the Main Street. Some of the older properties have lost their thatch which has been replaced by slate. Apart from the iron-stone and limestone church and the churchyard wall which is constructed in granite, stone (ironstone and river cobbles) is confined to the plinths and lower walls of some of the older buildings. The rest is red brick of varying ages, that of the later 19th century with interesting brick detailing such as The Springs in Carlton Lane. Roofing is of Welsh or Swithland slates. Some plots in the village have been infilled with later twentieth century buildings.

- 5.8 There are several significant open areas between the buildings. These include most of the southernmost loop (an area of garden with mature trees subject to a Tree Preservation Order), the field in the centre of the village and an enclosed area of paddock within the loop of Scotland Lane and Elms Lane. At the end of Scotland Lane (deriving from the mediaeval scot or tax) are a number of assarts (medieval land clearances). Alongside the north churchyard wall is a small intimate area, Rectory End, which ends abruptly with an old cottage that serves as the front of the village hall; here is a mature clump of trees (Horse Chestnut, Lime, Sycamore and Scots Pine). A large walnut tree stands in Town Street and another about half way down Main Street opposite the field.
- 5.9 Farms are found at the entrances to the village. The Conservation Area not only includes the settlement along the roads but also some of the narrow fields at the back of the houses and gardens or roads. An example of such would be from Carlton Road and Elms Lane behind Main Street, or alongside Scotland Lane, which areas provide a setting for the built up area.
- 5.10 The churchyard itself forms an interesting space with the elegant former Rectory behind it and farm buildings flanking its southern side. Although not in the Conservation Area there is an area of field beyond Rectory End, crossed by a public footpath, which provides an important open space at the edge of the village alongside the village hall.

### **Character Appraisal**

- 5.11 The Burton Overy conservation area is varied in character. The centre of the village around The Bell Inn public house has a more urban character with a greater historical interest consisting of more buildings including a greater concentration of listed buildings generally set within smaller plots.
- 5.12 By comparison, the northern end of the conservation area, and in particular, the Scotland Lane and Elms Lane loop where the application site is situated, has the feel of a rural country lane. This part of the conservation area is characterised by a sporadic grain of development consisting of single detached dwellings or small groups of detached dwellings fronting the road. In locations where there are no dwellings, the road is lined with tall hedging and trees which give a distinctive rural character.
- 5.13 In terms of the actual dwellings, there is a variety of different building types with differing architectural styles and layouts built during different time periods from the mid-C20th onwards. There are a number of older buildings in this part of the conservation area built prior to the mid-C20th, and this includes Thistle Cottage on Scotland Lane and Highcroft Farm and the Grade II listed 'The Elms' on Elms Lane.



*Aerial photo of the northern end of Burton Overy Conservation Area with numbers corresponding to the photos below*



*1: Scotland House – Existing dwelling at the application site*

- 5.14 The application site consists of a two-storey dwelling that makes little contribution towards the character of the conservation area (see image 1). The dwelling consists of a two-storey side extension with an unsightly flat roof design and a double garage which are later additions.



*2: Group of dwellings on Scotland Lane to the south of the application site*

- 5.15 To the south of the dwelling on Scotland Lane are a group of six dwellings (see image 2) which incorporate varying architectural features and designs including brickwork and render exterior finishes; different styles of dark brown coloured roof tiles and dormer windows of varying designs. All of the dwellings are set back within their respective plots which allow for medium sized gardens and on-site parking to be incorporated at the front.

- 5.16 Immediately to the south-west of the application site on the opposite side of Scotland Lane are a group of three large, detached dwellings known as '2 Scotland Lane', 'Kings Orchard' and 'Wagtails' (see image 3). All three of the dwellings are two-storey in height and incorporate exposed brickwork and white coloured render exterior wall finishes. The dwellings also incorporate

high quality landscaping in the form of well-established tall hedging, trees and shrubs.



*3: Group of dwellings to the south-west of the application site on the opposite side of Scotland Lane*



*4: Thistle Cottage situated to the west of the application site at the end of Scotland Lane*



- 5.17 Is it likely that Thistle Cottage was constructed prior to the mid-C20th and probably formed part of a small farm or agricultural holding (see image 4). The cottage is situated adjacent to the highway and incorporates a cream render finish to the exterior walls with dark grey slate roof tiles and white uPVC windows throughout.



*5: Two new dwellings situated to the south-east of the application site. The original dwelling which was replaced was known as ‘Sunnyside’*

- 5.18 Directly opposite the application site in a south-easterly direction are two newly constructed dwellings which were originally granted planning permission in December 2017 (see image 5). Both dwellings have a brown coloured brick work finish to the exterior walls and incorporate dormer window features. Both dwellings also have a contemporary looking dark grey slate or slate effect roof tiling and white uPVC windows throughout. The remainder of the plot is dominated by tarmac and hardstanding to accommodate on-site parking and vehicle manoeuvring.



*6: Two dwellings to the east of the application site on Scotland Lane known as 'Broad Meadows' and 'Corbiere'*

5.19 To the east of the application site are a group of two dwellings (see image 6). 'Broad Meadows' is large two-storey dwelling which appears to have had a number of extensions added over time. The front of the dwelling facing the highway has a white coloured render finish to the exterior walls. 'Corbiere' is a chalet-style bungalow with brown coloured brickwork and dark brown coloured roof tiles and white uPVC windows throughout. The bungalow is set further back within its plots allowing for a large-sized front garden and driveway area with extensive planting and landscaping.



*7: 'Highcroft Farm' and 'The Jays' to the east of the application site on Elms Lane*

5.20 Adjacent to the highway is the farmhouse of Highcroft Farm. The principal elevation of the building faces a southerly direction rather than facing the

highway. The building incorporates a mixture of brick work and render finishes. To the south of the farmhouse is a two-storey detached dwelling built circa. 1960s/1970s known as 'The Jays' which has a slightly unusual design. As the dwelling is on a steep gradient, the garage is situated at ground floor level to the front of the site with the first-floor level being at ground floor level at the rear of the site. (see image 7).



8: Grade II listed building 'The Elms' situated on 'Elms Lane'

5.21 The Grade II listed building known as 'The Elms' (see image 8) is a dwelling built in the late-C18th with earlier origins. It has red brick and Welsh and Swithland slate roofs with brick end stacks; stone coped gables and parapeted cornice with dentils and guttae alternated; three storeys in height and a basement of three 8/8 sash windows with 4/4 sashes on 2nd floor; gauged brick lintels; a central wooden doorcase with pilasters and flat bracketed canopy; 6-panelled door with fanlight; 3 square stone steps; stone mullion basement window on right end; 2 and 1 1/2 storey wings to rear, the

lower part of former with diapered brickwork on rubble stone plinth; and a Inglenook fireplace inside.

### **Listed Buildings**

- 5.22 Paragraph 3.18 identifies four Grade II listed buildings and one Grade II\* listed building with a radius of 250m of the application site. In terms of distances, the application site is around 150m from 'The Elms'; 230m from 'Ivy Cottage' and '1 Scotland Lane'; and 250m from 'The Old Rectory' and the 'Church of St. Andrew'. By virtue of the distance between the application site and these respective listed buildings, it is argued that the settings of these listed buildings would not be affected by the proposal.

### **Archaeology**

- 5.23 There is unlikely to be any direct impact upon the setting of any of the known and currently identified archaeological remains within the vicinity of the proposed development.

## 6.0 IMPACT UPON THE SIGNIFANCE OF THE HERITAGE ASSETS

- 6.1 In terms of the existing dwelling, it is argued that it has a bland overall design with little architectural interest that at best makes a neutral contribution to the heritage significance of this part of the conservation area, and arguably detracts due to the unsympathetic extensions to the original dwelling.
- 6.2 Given the degree of modern development that has occurred from the mid-C20th onwards in this part of the conservation area and given that this development has primarily taken the form of detached two-storey dwellings and detached ‘chalet-style’ bungalows, it is considered that the proposed development would be acceptable in principle.
- 6.3 Also of importance is the fact that the application site already benefits from an extant planning permission for a replacement dwelling which was granted in November 2018 (Council reference: 18/01516/FUL). Therefore, it would be reasonable to assume the principle of a replacement dwelling in this location is acceptable.



*Proposed front elevation of the replacement dwelling*

- 6.4 The proposed replacement dwelling would be two-storey in height with a multi-red coloured facing brick finish to the exterior walls, which would be of a similar colour to other dwellings in this part of the conservation area. The dwelling would also incorporate grey coloured brick as shown in the submitted drawings to add some architectural interest to the building. The dwelling would also incorporate architectural features seen on other nearby dwellings including different types of dormer window designs, traditional timber sash windows and chimneys. The dwelling would be largely located within the existing footprint of the existing dwelling and the only extensions beyond the existing footprint would be to the north, behind the frontage elevation. The existing boundaries would be retained, and no trees of significance would be removed.
- 6.5 Given the nature and scale of the proposal, and the existing context of the nearby listed buildings and conservation area, the heritage significance of the nearby listed buildings and conservation area would not be harmed by the proposed development. Indeed, the replacement dwelling would be a significant visual improvement compared to the existing dwelling, which in turn would result in an enhancement to the character and appearance of the conservation area.
- 6.6 In this connection, it is considered that the proposal would not lead to substantial harm to a designated heritage asset, therefore Paragraph 195 of the Framework does not apply to the assessment of this case. Paragraph 196 of the Framework deals with proposals that lead to a less than substantial harm to the significance of a designated heritage asset and weighing the harm against the public benefits of the proposal and securing its optimum viable use. It is contended that the proposal would have a positive effect upon the character and appearance of the conservation area conservation area, and therefore its heritage significance would be unharmed. Therefore, the test of Paragraph 196 is not engaged.

- 6.7 The proposal would also comply with Policy HC1 of the Harborough Local Plan which seeks to protect and enhance the historic environment including the character and setting of designated and other heritage assets.

## **7.0 CONCLUSION**

- 7.1 The proposed development would have positive impact upon the character and appearance of the conservation area and leave the heritage significance of Burton Overy Conservation Area unharmed. Therefore, the proposed development should not be refused on heritage grounds.



# Leicestershire County Council Members Highways Fund

## Potential Projects

Projects that Members could utilise the £25k funding for within their division could include:

- a) Street furniture on or off the highway – subject to a road safety assessment.
- b) Culvert repairs/clearing of ditches on private lands, subject to the necessary permissions.
- c) Vegetation works that would not normally be undertaken.
- d) Vehicle activated signs in locations not included within the Community Speed Initiative.
- e) Schemes that will support people with protected characteristics for example dropped kerbs to support people with mobility difficulties.
- f) Improvements to the environment – flower beds, verge protection barriers etc.
- g) Minor repairs to the roads and footways that would not normally be part of the normal intervention programme.
- h) Refreshing of highways owned green areas (re-planting of existing landscapes).
- i) Financial support to parishes to allow them to undertake structural testing in their area (lamp column testing for hanging baskets / Christmas decorations etc).
- j) Refreshing of lining and sign cleaning.

In certain circumstances communities may be expected to take on maintenance responsibility of the improvement. An example of this would be carrying out data collection from Vehicle Activated Signs (VAS).

Schemes where possible should avoid the need for a legal change to the Highway such as the introduction of a Traffic Regulation Order. Unfortunately, it is often difficult to secure public agreement for TROs and they are expensive (£7,500 minimum for the required consultation). Officers will make every effort to support Members to find solutions to issues which would avoid such an approach.

**Kevin Feltham (Gartree Division)**

APPENDIX D

Payments Scheduled for August

| AUGUST        |                         |             |                      |          |                       | EXPENDITURE |       |        | INCOME |
|---------------|-------------------------|-------------|----------------------|----------|-----------------------|-------------|-------|--------|--------|
| Voucher No.   | Description of item     | Cost Centre | Cost Code            | Date     | Expenditure or Income | Net Amount  | VAT   | TOTAL  |        |
| 30            | Zoom                    | Admin       | 1.10 - Zoom          | 05.08.21 | E                     | 11.99       | 2.40  | 14.39  |        |
| 31            | Interest received (Aug) | Income      | 5.2 - Misc.          | 09.08.21 | I                     | 0.05        | 0.00  | 0.05   | 0.05   |
| 32            | Dog Waste Bin Emptying  | Community   | 2.3 - Dog waste bins |          | E                     | 90.51       | 18.10 | 108.61 |        |
| 33            | PAYE (Aug)              | Staffing    | 3.2 - PAYE           |          | E                     | 105.60      | 0.00  | 105.60 |        |
| 34            | Clerk Salary (Aug)      | Staffing    | 3.3 - Salaries       |          | E                     | 158.48      | 0.00  | 158.48 |        |
| 35            | Plusnet                 | Admin       | 1.2 - Broadband      |          | E                     | 25.00       | 5.00  | 30.00  |        |
| Monthly Total |                         |             |                      |          |                       | 391.63      | 25.50 | 417.13 | 0.05   |