

# Development Management Delegated Decision Report

B/20/0292



SUMMARY OF APPLICATION				
<b>Application Reference</b>	B/20/0292			
<b>Application Type</b>	Full Planning Permission			
<b>Proposal</b>	Replacement of commercial style windows to facilitate residential use			
<b>Location</b>	143-144 Windsor Bank, Boston PE21 0HR			
<b>Applicant</b>	Mr K Iqbal, Shadpury Ltd			
<b>Agent</b>	Mr R Gooding, Good-Design-ing LTD			
<b>Received Date:</b>	10-Aug-2020	<b>Consultation Expiry Date:</b>	09-Sept-2020	
<b>Valid Date:</b>	17-Aug-2020	<b>Statutory Expiry Date:</b>	12-Oct-2020	
<b>Date of Site Visit:</b>	23-Sept-2020	<b>Extension of Time Date:</b>		
<b>Objections received?</b>	None			
5 day notification record: Not applicable				
	<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	GRANT Planning Permission			
<b>Report by:</b>	Simon Eldred			
<b>Date:</b>	23 <sup>rd</sup> September 2020			



## **OFFICER REPORT**

### **SITE AND SURROUNDINGS:**

The application site is located at the corner of Windsor Bank and Fishtoft Road, Boston and contains a two-storey building, the ground floor of which was last in Class A1 use (Mojo Ladies Hair Salon and John H Richmond Gents Hairdresser), with the first floor in use as a residential flat. It links to neighbouring buildings on Windsor Bank and Fishtoft Road, both of which appear to be in residential use. The building is located immediately at the highway edge. 4-10 Fishtoft Road and an attached brick wall (which are directly opposite the application site) are Grade II listed.

### **DETAILS OF PROPOSAL:**

It is proposed to replace three external ground-floor windows (two facing onto Fishtoft Road and one onto Windsor Bank). These windows, in their size and shape, have the appearance of shop-windows, and they are proposed to be replaced with smaller windows more suited to the property's intended residential use. They will be in white upvc and will match the building's remaining windows in style and proportions. The reduction of the size of the window openings will be in facing brickwork to match the existing in colour, bed jointing and size.

### **RELEVANT HISTORY:**

In 2020, full planning permission (B/19/0408) was granted for the change of use of the building's ground floor from hairdressers (Class A1) to a residential unit (Class C3).

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

The **South East Lincolnshire Local Plan 2011-2036** shows the building as being within Boston's Settlement Boundary, but no specific allocations or designations apply.

Relevant Policies are:

- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 29: The Historic Environment.

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

#### **National Planning Policy Framework (2019)**

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making;
- Section 12: Achieving well-designed places; and
- Section 16: Conserving and enhancing the historic environment.

### **CONSULTATION RESPONSES:**

Heritage Lincolnshire indicates that any changes to this building could potentially impact the setting of a neighbouring Grade II listed building (4-10 Fishtoft Road), but concludes that the proposals will preserve that setting.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations have been received.

## **EVALUATION:**

The key considerations in regards to this application are impacts on: the character and appearance of the area; neighbours' amenities; and heritage assets.

**Character and appearance of the area** – Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. The proposed replacement windows will match the rest of the building's existing windows in terms of their scale, design and materials, and the reduction in the size of the window openings is proposed to be sensitively handled – with brickwork that will match the existing in terms of colour, bed jointing and size. Consequently, it is considered that the proposals will be in character with the existing building, and will have no harmful effects upon the wider area's character and appearance. It is therefore considered that the proposals will meet these requirements of Policy 2

**Impacts upon neighbours' amenities** - Policies 2, 3 and 30 of the Local Plan require neighbours' amenities to be protected. The proposals involve no changes to the building except with respect to its windows, and do not involve the creation of new or larger window-openings. Consequently, it is considered that they will have no additional impacts on neighbouring properties or land users in terms of overlooking/privacy, or over-shadowing/loss of light. In all, therefore, it is considered that the proposals meet the requirements of Policies 2, 3 and 30 and will not have unacceptably adverse impacts upon neighbours' amenities.

**Heritage assets** – 4-10 Fishtoft Road and an attached brick wall (which are directly opposite the application site) are Grade II listed, and Policy 29 of the Local Plan supports proposals affecting a listed building's setting provided they preserve the significance of the listed building. Furthermore, Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires a local planning authority to have special regard to the desirability of preserving the setting of a listed building. This statutory duty sits above the policy objective identified above. In this context, the objective of preservation is to cause no harm, and is a matter of paramount concern in the planning process. Beyond this, where harm would be caused, there is a necessity to establish the extent of that harm, and consider this within the policy context.

In practice, this requires a methodical approach to be followed wherein the relevant assets which would be affected need to be identified, along with their significance. Consideration can then be given to any effects on this significance resulting from the proposals, which may be reduced through mitigation. If harm is identified, it is then required to establish the scale and extent of such harm, before moving on to matters such as the planning balance and weighing the public benefits arising against any identified harm.

**Heritage assets affected** - it is considered that only one heritage asset is potentially affected – numbers 4 to 10 Fishtoft Road, which are located immediately opposite the application site and are Grade II listed.

The list description reads *“MATERIALS: The terrace is built of red brick laid in Flemish Bond with a tiled roof hipped at the west end. PLAN: Rectangular, of two storeys with modern single storey lean-to to the rear of Nos. 6-10. EXTERIOR: The terrace is set back from the road, separated from the pavement by front gardens. The main south*

elevation has nine bays: No. 4 has three and Nos. 6-10 two each. Three ridge stacks serve the four cottages, with two chimneys each for the three smaller dwellings and four for the larger cottage to the west. Nos. 4 and 6 have paired front doors, while the front doors of 8 and 10 are separated by a window. All the doors have six recessed panels above which are radiating fanlights under round arches. The larger cottage has a canted bay window to the ground floor, while the four other ground floor windows are sixteen-paned sashes under round arches, as are the nine first-floor windows. To the rear, the four first-floor windows in the north elevation are horizontal sliding sashes. The ground floor of Nos. 6-10 is concealed behind the C20 lean-to additions. **INTERIOR:** The interiors of Nos. 4-10 were not seen. The three smaller cottages are said to have two first and two ground-floor rooms, the larger cottage three, and this is confirmed by the plans of 1981, although two ground-floor rooms in No. 4 have been made into one. All four cottages have new stairs. **SUBSIDIARY FEATURES:** To the front of the four cottages is a low brick garden wall."

Impacts of the proposals on these assets - The proposed replacement windows will match the building's existing first-floor windows in terms of their scale, design and materials, and the reduction in the size of the window openings is proposed to be sensitively handled – with brickwork that will match the existing in terms of colour, bed jointing and size. Consequently, it is considered that the proposals will be in character with the existing building, and will have no harmful effects upon the setting of the identified heritage asset - a view which is shared by Heritage Lincolnshire.

### **CONCLUSION:**

The proposals:

- will have no adverse impacts on the character and appearance of the area;
- will not harm neighbours' amenities;
- will cause no harm to the identified heritage assets; and
- meet the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

### **RECOMMENDATION:**

GRANT Planning Permission, subject to the following conditions and reasons.

<b>CONDITIONS / REASONS</b>			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
1. The development hereby permitted shall be begun before the expiration of four years from the date of this permission.			
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.			
2. The development hereby permitted shall be carried out in strict accordance with the application received 10-Aug-2020 and in accordance with the associated plan referenced:			
<ul style="list-style-type: none"> <li>▪ Drawing Number 191089-03 – Proposed Elevations and Proposed Ground</li> </ul>			

Floor Plan

Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 29 and 30 of the South East Lincolnshire Local Plan 2011-2036.

**INFORMATIVES / NOTES**

**TO BE INCLUDED ON/WITH DECISION NOTICE**

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.