

Development Management Delegated Decision Report

B/21/0018



SUMMARY OF APPLICATION

Application Reference	B/21/0018		
Application Type	Full Planning Permission		
Proposal	Demolition of rear first floor rest room and erection of rear extension to provide staircase and bin storage		
Location	8-10, Wide Bargate, Boston, PE21 6RF		
Applicant	Lanchester Securities, C/O Neil Dowlman Architecture		
Agent	Mr Neil Dowlman, Neil Dowlman Architecture		
Received Date:	20-Jan-2021	Consultation Expiry Date:	02-Mar-2021
Valid Date:	08-Feb-2021	Statutory Expiry Date:	05-Apr-2021
Date of Site Visit:	04-Mar-2021	Extension of Time Date:	09-Apr-2021
Objections received?	None		
5 day notification record: N/A			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Grant Planning Permission		
Report by:	Emma Dennis		
Date:	22/03/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is occupied by a three storey building located in Boston town centre and is within Boston Conservation Area. There are three storey buildings either side.

Adjacent to the application is No.4 Wide Bargate which is a Grade II Listed Building. The building is attached to the host building at the first and second floor with the description being:

“...Shop. Early C19, with C20 alterations. Colour-washed brick, stucco dressings, slate roof behind tall parapet. EXTERIOR: 3 storeys, 3 bays. C20 shop front with to right a carriageway with flat arch. To 1st floor 3 glazing bar sashes and to 2nd floor 3 similar smaller sashes. Panelled door to right-hand side. INTERIOR: retains some panelled doors and window architraves to 1st floor...”

As noted in the description above the ground floor between No. 4 Wide Bargate and the application site is an alleyway that leads to the NCP carpark on Red Lion Street.



DETAILS OF PROPOSAL:

It is proposed to:

- demolish the rear first floor rest room and replace with a flat roof;
- erect a rear extension above the existing rest room to provide staircase area to serve the second and third floor flats
- create an enclosed bin storage area at ground floor which includes reinstating existing doorways to provide access
- These works include blocking up of some windows.

There are minor works proposed on the ground floor, which have not been included in this application. There are no proposed changes to the front elevation of this building.

It is to be noted this application does not include the creation of the flats at second and third floors, the Heritage Impact Statement states that the creation of these flats comes under Permitted Development.

RELEVANT HISTORY:

B/02/0591 Internally illuminated fascia sign (No.10)
Granted – 09/01/2003

B/08/0187 Internal and external alterations to existing shop units to provide one retail unit plus one self-contained flat at first floor and one self-contained flat at second floor (No.8-10)
Granted – 22/05/2008

B/17/0287 Application for advertisement consent for fascia sign and projecting sign
Granted 18/09/2017 (No.10)

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- 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

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Witham Fourth District IDB have requested that they are to be contacted if any changes to the surface or treated water disposal arrangements than stated in the application.

Heritage Lincolnshire have commented to say they have no concerns with the principle of the scheme but request that the materials are sympathetic to the historic content so they preserve the character of the historic building. They have requested that details should be provided prior to installation.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The key planning issues in the determination of this application are:

- Matters of principle;
- Effect on heritage assets and character of the conservation area;
- Amenity;
- Other matters.

Matters of principle

The site is within the town centre of Boston, with Policy 24 of the SELLP confirming the town centre of Boston will be the locational focus for town centre uses and that planning permission will be granted for residential development and other commercial uses.

Policy 25 of the SELLP indicates town centres will be the primary destinations for retail and other appropriate uses. This includes supporting the redevelopment of land within the town centre boundary.

It is noted the proposed extension involves the conversion of part of the ground floor to enable access to be gained to the first and second floor apartment. This would result in the loss of some of the commercial floorspace associated with the retail unit that fronts Wide Bargate. However, given the loss represents a modest encroachment than a severance, the function of the retail unit would still be in use and as such is considered acceptable.

Effect on heritage assets and character of the conservation area

The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of the Local Planning Authority to have special regard to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest. In the context of Section 66 and 72 of the Act, the objective of preservation is to cause no harm. The courts have said that this statutory requirement operates as a paramount consideration, 'the first consideration for a decision maker'. Planning decisions require balanced judgement, but in that exercise, significant weight must be given to the objective of heritage asset conservation.

The National Planning Policy Framework provides the overarching guidance for development and identifies a conservation area and a listed building as designated heritage assets. It is the Local Planning Authority's duty to ensure that through careful decision making, development should maintain and manage change in a way that sustains, and where appropriate, enhances its significance.

SELLP Policy 29 states that development proposals will conserve and enhance the character and appearance of heritage assets. Proposals which extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.

This application site forms part of the setting to a number of listed buildings, namely:

- No.4 Wide Bargate, which is attached to the application site at the first and second floor, there is an alley way in-between on the ground floor;
- No.14 Wide Bargate, which is located two doors up from the application site and consists of a three storey building;
- No.18 Wide Bargate, which is a three storey former Post Office building;
- Three telephone kiosks which are outside the former Post Office
- Nos 1, 5-7, 9 and 11 Wide Bargate, which are all three storey buildings opposite the application site.

In addition, the application site is located within the Boston Conservation Area.

The application site forms part of the setting of these listed buildings and impacts upon the character and appearance of the Boston Conservation Area. However given that the proposed works are to the side elevation and the rear of the property, notwithstanding 4 Wide Bargate, it is considered that the proposed extension and works will have limited effect to the heritage assets.

Heritage Lincolnshire have acknowledged the application site is immediately adjacent to a listed building and it is a positive building within the Boston Conservation Area. Whilst there are no issues in principle, it should be conditioned so the materials for all the external joinery, including windows and doors, are sourced to match the existing building to ensure they are sympathetic to the historic building.

The proposed works are to the side and rear of this three storey building. Two existing ground floor window openings are proposed to be re-opened with the brickwork removed to then install two double doors which will serve access to the bin storage area for the flats. An existing single door is to be replaced and another bricked up window in the side elevation to be reinstated, both the window and door will be the entrance to the flats on the second and third floor. These works will only be clearly viewable when walking through the passageway which leads to the NCP carpark, but only a very fleeting view from the public highway. It is considered that if materials are used that are sympathetic to the existing building and the area, the uniformed position of these reinstated windows would improve the side elevation of this building.

It is also proposed to raise the roof height on the existing rear first floor extension, this is to allow for the rear staircase which will serve the flats on the second and third floor. The existing windows on the side elevation and rear elevation will be bricked up and a new window will be installed on the side elevation of the second floor of the proposed extension. The proposed rear extension

would increase the dominance of the rear section of this building, however it is not considered to excessively compete with the existing building and if the materials are sympathetic to the main building it is considered to have no adverse impacts on the character and appearance of the local area.

Taking into account the proposed extension and building alterations it is therefore considered the proposal will satisfy s. 66 and 72 of the Act, the provisions of the NPPF and SELLP 2, 3 and 29.

Amenity

Policies 2 and 3 require neighbours' amenity to be protected. As the proposed works are within the town centre effect on the work place must be considered. However, these works are minor in scale and will not have any impacts in terms of loss of light, outlook, privacy and overshadowing. Thus, it is considered that the proposal will meet the requirements of Policies 2 and 3.

Other Matters

The application site is in a high risk of flooding area. A flood risk assessment has been submitted which confirms that in the event of a breach or overtopping of the existing defenses, there would be little (if any) effect to this proposal. Given that the proposal is for means of access to first and second floors and does not contain additional ground floor habitable space, it is considered that there will be no increased risk as a result of this development.

CONCLUSION:

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 2, 3 and 29 of the SELLP and Sections 4, 12 and 16 of the NPPF.

RECOMMENDATION:

GRANT Full Planning Permission subject to the following condition(s) and reason:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1.	<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The development hereby permitted shall be carried out in strict accordance with the application received 20 January 2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Location Plan • B/3499-2001 Rev A Proposed Ground Floor Plan • B/3499-2002 Rev A Proposed First Floor Plan • B/3499-2003 Rev A Proposed Third Floor Plan

	<ul style="list-style-type: none"> • B/3499-2004 Rev A Block and Roof Plan and Proposed Elevations <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>
3.	<p>No development shall take place until details of the materials proposed to be used in the construction of the external surfaces including rainwater goods have been submitted to and approved in writing by the Local Planning Authority. These details must include:</p> <ul style="list-style-type: none"> • Windows and doors • Brick and roof materials • All rainwater goods <p>The development shall then be carried out in accordance with the approved details.</p> <p>Reason: To ensure that the new building is in keeping with the character of the building/area in accordance with Policy 29 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>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.</p>	