

Development Management Delegated Decision Report

B/21/0448



SUMMARY OF APPLICATION

Application Reference	B/21/0448		
Application Type	Full Planning Permission		
Proposal	Proposed new shopfront with roller shutters		
Location	8-10 Wide Bargate, Boston, PE21 6RF		
Applicant	Mr James McDonald, Cash Converters		
Agent	Mr Richard Jenkinson, Capricorn Displays Limited		
Received Date:	12-Oct-2021	Consultation Expiry Date:	30-Nov-2021
Valid Date:	20-Oct-2021	Statutory Expiry Date:	15-Dec-2021
Date of Site Visit:	09-Dec-2021	Extension of Time Date:	-----
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:	05/01/2022		

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:



Full Planning Permission is sought to replace the two existing shopfronts with one new dark grey shopfront which includes a dark grey perforated steel electric internal shutter, a non-illuminated fascia sign measuring 920.2mm by 6926mm finished in yellow with the Cash Converters logo in the centre.

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).

B/21/0018 Demolition of rear first floor rest room and erection of rear extension to provide staircase and bin storage.
Granted – 08/04/2021.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

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
 - Policy 29: The Historic Environment
- Boston Conservation Area Appraisal (2009);
 - Boston Town Centre Conservation Area Management Plan 2017-20.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

At the heart of the National Planning Policy Framework 2021 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;
- Section 16: Conserving and Enhancing the Historic Environment.

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Witham Fourth Internal Drainage Board have no comments to make.

Lincolnshire County Council (Local Highway and Lead Local Flood Authority) does not wish to object to this planning application.

Historic Conservation Advisor cannot support the application and has made the following comments, to summarise:

- The large yellow fascia is over-dominant and inappropriate and detrimental to the character of the Conservation Area. We consider a more uniform colour scheme to be appropriate in the Conservation Area – potentially a balance in this instance is to utilise the same dark grey colour on the fascia and the background to the letter can be yellow.
- We consider the use of halo lite LED lettering to be inappropriate within the Conservation Area and any lettering should be hand painted on to the fascia in line with existing Best Practice Guidance as set out in the Shop Front Design guide produced by Boston Borough Council.
- We consider the design of the new shopfront is of a generic nature and character and requires improvement to its design to reach a point that it will be an enhancement to this area. Given the age of the building, a more traditional shopfront would be more appropriate in this instance and we would refer the designer to the Boston Shop Front Guide for guidance on what is and is not appropriate.
- The perforated steel internal shutter is favourable to an external shutter, or any such mechanism that would protrude from the shopfront, as long as the internal mechanism will not be overtly visible from the street.

A re-consultation was carried out following the submission of amended plans (dated 07/01/2022), the Historic Conservation Advisor had the following comments:

- The size of the lettering appears to have increased from the original proposal. Honestly I don't think we are doing enough in this instance and think that it is very generic and poor shopfront front, however I am aware that the existing isn't great so we may in fact be "preserving" the character of the CA. I'd rather we were improving it though.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The key consideration in regards to this application are:

- Impact on Boston Town Centre Conservation Area;
- Impact on amenity; and,
- Flood risk.

Impact on Boston Town Centre 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 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 as a designated heritage asset. 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.

Policy 2 of the SELLP states that proposals will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses as well as the quality of its design and orientation.

Policy 3 of the SELLP states all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

Policy 29 of the SELLP will not be permitted where proposals will have adverse impacts upon aspects such as the amenity of the area and the historic environment.

Defining the existing character

The application site and surrounding area is within Boston Conservation Area. The building itself is not listed, however, the adjoining building (No.4) is Grade II listed and there are other listed buildings located further along (No's 14, 18 & 3 telephone kiosk's) opposite (No's 1, 7, 9 & 11).

The application site is located in part of the town centre where commercial uses are concentrated with a variety of designs and sizes. The application site was originally two separate units, the proposal is to merge these units to create one large unit with a new shopfront spanning the entire width of the building.

The building still contributes to the existing character by having two well-proportioned shopfronts displaying traditional features that face directly onto Wide Bargate. Whilst there is a slight variation in shopfront design it is considered a recessed doorway and defined display windows make a strong contribution to the character of Boston Town Centre Conservation Area.

Given its central position in the town centre and how the existing building responds in the Wide Bargate frontage this part of the Conservation Area would be sensitive to any changes to a building. As such it is considered the site holds significant presence in Boston Town Centre Conservation Area.

Boston Town Centre Conservation Area Management Plan 2017-20 advocates that the historic area is at risk to a continued loss of special characteristics that define its unique quality. The plan identifies that the risks are from inappropriate alterations to front elevations, loss of historic details amongst other factors.

Impact on appearance and character of Boston Town Centre Conservation Area

The replacement frontage will consist of powder coated aluminium shopfront, painted in the applicant's corporate colours of dark grey and yellow. The main door is to be set back approximately 1200mm into the shop with a perforated steel electric shutter in dark grey which is located internally.

It is considered the recess shopfront would be broadly in line with the existing pattern of shopfronts on both sides of Wide Bargate.

The internal roller shutter is for security purposes and that it will have a perforated appearance. It is noted that perforation of a shutter allow views into the unit outside of business hours i.e. when closed and in turn maintain a degree of animation to the street.

All of these neighbouring buildings contain large, glazed shopfronts. Given this visual context, the addition of this traditional framed shopfront design with perforated internal shutters painted to match the grey of the shopfront is considered the proposed shopfront will be in keeping with the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest.

As such the proposed development is contrary to SELLP Policy 2, 3 and 29.

Impact on amenity

SELLP Policy 2, 3 and 30 will permit development providing that sustainable development considerations are met, specifically in relation to the size, scale, layout, density and impact of the development on the amenity and the relationship to existing development and land uses.

The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

The application seeks to alter the frontage of an existing unit within the centre of Boston. This proposal is considered to not alter the amenity impact of the unit on the locality. The works are therefore in general accord with SELLP Policy 2 and Policy 3.

Flood risk

SELLP Policy 4 states that a proposed development within an area at risk of flooding (Flood Zones 2 and 3) will be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding (through passing the sequential test), the proposed works are essential infrastructure, appropriate flood mitigation measures have been put in place. Development within all flood zones (and development over 1 hectare in size in Flood Zone 1) will need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.

The application site is located within Flood Zone 3. The proposed works are external and would not increase the footprint of the existing structure. The works therefore would not increase runoff or increase the possibility of flooding within the locality

As such it is considered the proposed works set out in this application are in accordance with SELLP Policy 4 and are therefore acceptable in terms of flood risk, in line with the NPPF.

CONCLUSION:

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 2, 3, 29 and 30 of the South East Lincolnshire Local Plan 2011-2036 and Sections 4, 12 and 16 of the NPPF (2021).

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 not be carried out except in complete accordance with the following details shown on the submitted plan(s):</p> <ul style="list-style-type: none"> • Location Plan – Ref: TQRQM21284152509920 • Site Plan - Ref: TQRQM21284152144984 • File 10 – Shopfront Plan ▪ File 13-1 Front Visual <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, 3 and 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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>