

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0783-23 **Applicant:** Mr M Benjamin

Proposal: Internal & external alterations to lower ground floor utility area to rear of dwelling - Retrospective

Location: Mercia Lodge 65 Pinchbeck Road Spalding

Terminal Date: 31st October 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2023

Sections 12 and 16 of the National Planning Policy Framework (2023)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent application is for internal and external alterations to the lower ground floor utility extension to the rear of Mercia Lodge, 65 Pinchbeck Rd, Spalding. This application is part-retrospective.

The proposal seeks to create new subdivisions in the rear extension to create individual spaces for a boiler room, W/C and also a recording studio. Additionally, to fix identified issues with water ingress through the flat roof, it is proposed to install a new steel roofing beam and a new covering will be fitted to create a drainage fall.

Furthermore, the application seeks retrospective consent for the bricking in of the window on the Northern elevation of the extension, as well as the creation of a new door opening on that elevation. Internal alterations are part-retrospective also, as the interior layout has been demolished.

Site Description

Mercia Lodge is a grade II listed house, most recently used for offices. It has been vacant for a substantial period of time, and has begun to become derelict, particularly on the interior, where wall and ceiling surfaces have fallen and internal timbers are beginning to waste.

Historic England describes the building like so;

"House, now offices. c1867. For G F Barrell, by his brother Edward Barrell of Rochester. Yellow brick with shallow hipped Welsh slate roof with overhanging eaves supported on paired brackets. 2 storey, 5 window front arranged 2:1:2. Central bay projects slightly, central doorway reached up flight of 8 steps with coped side walls and square piers supporting iron vases, half glazed panel door. Projecting brick pilaster door surround with entablature and flat hood. Either side are single canted bay windows with moulded ashlar cills. Above central round arched 2-light casement window, flanked by pairs of similar windows on either side, each corner is emphasized by a plain pilaster. Hipped roof surmounted by a cast iron ridge piece with 2 outer finials and a taller central finial.

The rear extension impacted by this application is a mid-c20th addition and is of no value to the listed building whatsoever. It represents an inappropriate addition to an otherwise fine example of the building's type.

The immediate setting is within the conservation area, and Pinchbeck Rd can easily be considered one of the most important sections of the Spalding Conservation Area (SCA), containing a large amount of handsomely designed Victorian and Edwardian houses, along a tree-lined avenue. The road forms one of the primary routes into and out of the town, and as such bares a heavy impact upon the appreciation of the town.

History

H16/1186/91. Mercia Lodge. 65 Pinchbeck Road. Existing dwelling to be used as offices (registered as H16/0054/90). Approved 15-05-92, with a S106 to control the use of the property as Class B1a offices and the protection of landscaping. This S106 is still extant.

H16-0687-01. Mercia Lodge, 65 Pinchbeck Road. OUTLINE. Erection of two dwellings. Refused. 8.10.2001. Allowed on appeal 1.8.2002.

H16-0606-16. 63 Pinchbeck Road. Residential development of one chalet bungalow following the refusal of H16-0263-15. Refused 6.02.2017. Appeal dismissed 18-05-2017

H16-0520-22. S191 LAWFUL USE CERT. The use for which a certificate of lawful use or development is sought, is the change of use of the building known as The Annexe from office use, to a lawful use as a separate, independent residential planning unit falling under User Class C4. APPROVED 16.8.2022.

H16-0654-21. Change of use of residential annexe to one C3 private dwelling separate from the host building, including minor alterations to boundary treatments.. APPROVED 16.08.22

Consultation Responses

Spalding and District Civic Society

No objections

Lincolnshire County Council as Lead Local Highways and Flood Authority

No objections

Historic England

No objections

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider this proposal to risk harming the special value or significance of the associated listed building or the wider historic environment.

This proposal exclusively impacts upon the rear extension to the main property which is not considered to be of importance to the listing. The structure is mid-late C20th in nature and bears no architectural sympathy or compatibility with the host property. Therefore, the proposed minor external and internal alterations are not deemed to harm the special interest of the listed building. The proposed external alterations do not substantially alter the way that the historic building would be read in context with the inappropriate C20th addition and the materials proposed to be used are comparable to those which are already utilised on this portion of the structure. The original layout of this lower level extension was of no significance and therefore, its alteration is not deemed to put the heritage value of the site at risk.

Because this portion of the building is in need of structural repair, and because it does not contribute to the significance of the heritage asset, it is considered that these minor works assist in conserving the historic environment via a lack of a detrimental impact.

Residential Amenity

The Local Planning Authority does consider there to be any risk presented to the nearby residential amenity by this proposal. The application seeks no external dimensional alterations of the property, and any alterations or additions of window/door openings are occurring at ground floor level, and thus do not present any additional risk of overlooking.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2023). Therefore, the recommendation is to approve.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity,

race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.