DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0933-22**	**Applicant:**	**Spalding Gentlemans Society**
Proposal:	Demolition of rear flat roof extension including making good existing building		
Location:	Spalding Gentlemans Society 9a Broad Street Spalding		
Terminal Date:	24th April 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 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent Application is for the demolition of the rear, Mid C20th flat roofed extension at the Spalding Gentleman's Society, 9a Broad Street. The works include the making good of the rear of the property. The rear elevation will be furnished with 2 new timber casement, leaded windows with a new oriel window and ground floor glazed doors towards the northern end. The Fire exit staircase which extends to the north from the extension would also be removed as a result of the demolition process.

Some additional alterations are also proposed including the installation of a PV cell bank on the roof of the original property, as well as the removal of a non-original roof light. Furthermore, it is proposed to brick up the non original windows and door to the Northern elevation ground floor extension (referred to in plans as Maples Gallery).

Furthermore some minor internal alterations are proposed. These are:

Installation of new, matching timber floor at the same level of the lecture hall in the 'study room' and the raising of the ceiling within the maples gallery, corresponding to the above alteration.

Site Description

The Spalding Gentleman's Society, 9a Bond Street is one of Spalding's most historic and significant heritage structures. It is listed at a grade II level and makes extensive use of exemplar architecture from the turn of the 20th century. Historic England describes the building like so:

"Dated 1910. Architect, J B Corby and Sons. 2 storeys in red brick with ashlar dressings and hipped Welsh slate roof. Gabled centre section breaks forward. 1 window of 16 lights, mullion and transom, beneath rectangular dripmould with shield with coat of arms above. Also 3 labels with legends 'Literature' 'Art' and 'Science'. 2 plaques with monograms to sides and centre plaque with frieze of figures above door. Moulded string between storeys. The ground floor of this centre section has 2 windows of 4 lights under rectangular dripmoulds. Doorway in stone with carved spandrels and panelled door with mask in rectangular fanlight. The side sections have one 4-light window to each storey to the left, and 1 window of 2 lights to each storey to the right. 2 labels dated 1710 and 1910 respectively. Nos 8. 9 and the Museum of the Spalding Gentlemens' Society form a group"

Not included in the above listing was/is the 1960 rear extension to the museum, constructed using a completely mismatching, grey brick, utilising a near-brutalist style which is at unquestionable odds with the design of the remainder of the property. It is neither sympathetic to the original property, nor a particularly good example of its own architectural style.

The site is situated in a relatively central location within the Spalding Conservation Area (SCA). Numbers 8 and 9 Broad Street, as well as the Constitutional Club (and associated wall) and the Methodist Church on the opposite side of the road to the site are all similarly Grade II listed and within visual range, making this site an area of substantial concentration of characterful assets and therefore contribution to the conservation area. The immediate setting can be characterised as being mainly consisting of C19th and beyond architecture, comprising a mix of commercial, ecumenical and residential uses.

History

H16-0090-16

Proposed mounted cast metal plaque. Approved on 29-04-16.

Consultation Responses

Local Residents

2 Letter of objection was received from residents to H16-0933-22, the Planning Application for the same proposal. However, these letters of objection exclusively covered private and personal grievances between the objectors and the applicant which had no relevance to this application, and which may only be resolved outside of the planning process.

Lincolnshire County Council Historic Environment Officer

The Lincolnshire County Council Historic Environment Officer commented on the Planning Application for this proposal. Their comments can be summarised like so:

Request that a full photographic survey take place prior to any demolition works and that should the applicant require to conduct subsurface works following the demolition, that standard conditions AR1, AR2 and AR3 are applied.

Historic England

Historic England have been involved with this proposal and have at various stages prior to submission of the application submitted, to the applicant, documents indicating their support for the proposal. Upon consultation, Historic England confirmed that they have no objection to the proposal and support the conservation approach outlined in the application.

Joint Committee of the Amenity Societies

Requested the supply of further details relating to structural surveys supporting the proposal as well as and upgraded HIA. The applicant supplied further information which was re-consulted back to the Joint Committee of the Amenity Societies and received no response.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any potential of a negative impact upon the Heritage value of either the subject asset or any surrounding or associated heritage asset. This is because the extension which it is proposed to demolish is thoroughly inappropriate to the setting of the listed building, and can certainly be considered to be both an eyesore and a drawing factor upon the quality of the asset and the wider SCA setting. Furthermore, the works proposed to 'make good' following the demolition appear to be of a high quality which would match the styling of the original property. Policy 29, Section A of the South East Lincolnshire Local Plan (2019) (SELLP) states the following relevant points:

"1. Proposals to change the use of a Listed Building or to alter or 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.

2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy.

3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Subsection 1 of the above is covered earlier in this section, in that the Local Planning Authority is fully supportive of the principle of the proposed demolition given the aesthetic improvement that the demolition would bring about to the visual integrity of the listed asset. However, in addition, the applicant has been able to supply multiple structural surveys, and the opinion of Historic England all of which support the removal of the 1960 extension for the above reasons, but also because the weight of the 1960 extension is causing substantial movement of the remainder of the building which places the historic portion's preservation at risk, and therefore, in a very real manner, the demolition of the 1960 extension would represent a substantially positive step towards preserving the historic site.

Regarding subsection 2 above, given the fact that the property is Grade II listed, only an exceptional case is required to justify the partial demolition of this listed building. However, the applicant has provided the structural assessment of a CARE accredited structural engineer and that of Historic England which confirms that the demolition of the 1960 extension is in the best interest of the preservation of the historic property. In this case, the Local Planning Authority considers the justification provided to be clear and convincing and in line with National Policy requirements. Therefore, the Local Planning Authority considers that in this circumstance a wholly exceptional case has effectively been made.

With reference to subsection 3 of the above, the Local Planning Authority raises no concerns about the impact of this proposal upon the significance of the Listed Building, and, in fact, considers the removal of the wholly inappropriate and cramped 1960 extension to contribute substantially to both preserving (due to the structural risk the 1960 extension presents) and actually better revealing the significance of the heritage asset, as the removal of the extension will reveal the original scale and massing of the historic building,

For the reasons listed above the proposed demolition and the subsequent 'making good' of the rear finishes are deemed to be fully acceptable.

The proposal, however, does include some other minor external and internal alterations.

The proposed 'filling in' of the door and windows on the 'Maples Gallery' as well as the non-original roof light is deemed acceptable as all of these features are non-original to the building and by condition, all external surfaces shall be made good with matching materials. Also the proposed installation of the PV cell bank on the roof is not objected to by the Local Planning Authority - whilst it is generally accepted that PV cells are an inappropriate addition to most listed buildings, in this instance the shallow angle of the roof pitch, coupled with the flat-roofed 'buffer' between the pitch and the eaves, as well as visual shielding by the perpendicular pitch toward the front of the building would mean that this relatively modest PV bank is not readily visible from the street side, particularly in the context of shielding by the existing adjacent property to the south and the large development which is currently approved on that site for redevelopment.

The internal alterations are relatively minor consisting only of the installation of a new, matching timber floor at the same level of the lecture hall in the 'study room' and the raising of the ceiling within the maples gallery, corresponding to the above alteration. There is nothing to suggest that either the height of the floor in the study room or the ceiling in the maples gallery is of particular importance of the character of the building and the proposed works represent an improvement to the general usability of the building. It is therefore considered to be in the best interests of the listed property to permit these relatively minor and insubstantial alterations.

For the above reasons, this application is deemed to assist in enhancing the historic environment, as is a requirement of S16 of the NPPF.

Residential Amenity

The proposal site is neighboured by several residential properties to the North, and multiple proposed residential units to the south. Of particular concern is the rears of properties along New Road which sit directly adjacent to the 1960s extension this application seeks to demolish. However, it is the opinion of the Local Planning Authority that this proposal will enhance the quality of residential amenity at all neighbouring properties, particularly that of those properties addressed along New Road. This is because the proposed works seek to demolish the extension to the rear which overbears many of its direct neighbours and has windows capable of direct overlooking into rear living spaces of residential properties. By demolishing this structure and therefore bringing the window boundary of the existing building to a much-receded point, drastically reducing and certainly not enhancing any risk of overlooking to any neighbouring property. Furthermore, by removing the 1960 extension which appears monolithic and overbearing from New Road property rears should assist in allowing for much more sunlight access to the rear of those properties, drastically reducing any overshadowing effect. In summation, the proposal to demolish the 1960 extension shall improve residential amenity in the area in substantial ways. All of the other minor alterations to the building are either internal or do not include the creation of new 1st floor (or above) windows nor do they make any external dimension alterations and therefore cannot be said to cause any enhancement to the risk of either overlooking or overshadowing of any neighbouring properties.

Conclusion

For the reasons listed above, this application is determined to be in accordance with Policies 1, 2, 3 and 29 of the SELLP as well as Sections 12 and 16 of the NPPF. Therefore, this application is recommended for approval.

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.