SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 18 May 2022**

(Author: **Polly Harris-Gorf - Principal Planning Officer)**

Purpose: **To consider Planning Application H16-1132-21**

Application Number:	H16-1132-21	**Date Received:**	05 November 2021
Application Type:	LISTED BUILDING		
Description:	Change of use of existing building from dance/fitness studio (class E) to 2 x 1-bed flats and 5 x 2-bed flats (class C3) including the formation of a pitched roof to existing single-storey projection		
Location:	38 SPRING GARDENS SPALDING		
Applicant:	Market Homes Ltd.	**Agent:**	Swan Edwards Architecture Ltd
Ward:	Spalding St Johns	**Ward Councillors:**	Cllr M Hasan Cllr J D McLean

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-1132-21

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 Public interest and design and heritage issues warrant Committee consideration, given the history of the building and wider site.

2.0 PROPOSAL

2.1 Listed Building Consent is sought for works to enable the change of use of existing building from dance/fitness studio (class E) to 2 x 1-bed flats and 5 x 2-bed flats (class C3) including the formation of a pitched roof to existing single-storey projection.

2.2 Specifically, internal works are proposed to enable the conversion, and these details have been amended in the light of officer concerns to retain as far as possible key features of the building. In addition the roofing of the existing single storey addition is proposed.

3.0 SITE DESCRIPTION

3.1 The site is located within the Spalding Conservation Area (SCA) and within the settlement boundary of Spalding and was last in use leisure purposes before becoming vacant.

3.2 The building is a visually distinctive structure designed in a High Victorian gothic style, constructed in red brick with vitrified brick and limestone dressings. The building has a western tower entrance bay and a gabled eastern bay dominated by two tripartite windows, with those on the ground floor having cambered shallow arched upper sections and those on the first floor having more rounded arch windows. The frontage of the building is incredibly detailed, with

numerous architectural details seeking to draw the eye.

3.3 From Spring Gardens the southern elevation of the Police House can be seen clearly, along with the extensive rear wings of the Sessions House. To the east, and adjoining the site is sited a former Post Office depot. This large rectangular brick building covers a corner site on Spring Gardens and The Crescent (which leads to the Sheep Market to the north) and presents a largely blank elevation to the appeal site.

3.4 This report is to be read in conjunction with Planning Application (H16-1131-21 refers) elsewhere on this agenda.

3.5 The building was listed under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest, as a Grade II Listed Building on 2 July 2019; the reasons for listing are set out as follows:

3.6 ***Reasons for Designation***

The former Christian Association and Literary Institute, built in 1871, is listed at Grade II for the following principal reasons:

Architectural interest:

** it has a visually arresting composition with the entrance bay assuming the appearance of a square tower which is beautifully balanced by the gabled end bay lit by two sets of tripartite windows in different styles; * it is unified by finely detailed ornamentation carried out in stone, moulded red brick and vitrified brick, creating a textural richness and demonstrating a high level of craftsmanship; * internally, the first-floor lecture hall remains as an impressive open space, and overall the original configuration is legible with a good proportion of the historic fittings surviving, including the staircase, moulded window surrounds, panelled doors and ceiling roses.*

Historic interest:

** it is illustrative of the cultural provision that was made for communities as well as the dominance of the church during this period. Its impressive elevations were clearly intended to make a statement about the importance of literary and religious activities, and to attract new patrons.*

Group value:

** it has group value with the Sessions House (1843) and the Police Station (1857) which are both Grade II listed and visible from the rear of the Institute to the north.*

History

Spalding is an old established market town situated on the River Welland some ten miles from its outfall in the Wash. The town was once a thriving port and a former seat of a powerful monastic order. The former Christian Association and Literary Institute (the Institute) bears a date stone of 1871. It was described in Kelly's Lincolnshire Directory as 'a building of red brick, in the French Gothic style, and contains lecture hall, reading and class rooms, with a library of 1,351volumes, and a residence for the caretaker'. The architect is not known. Institutes were often modest buildings but they could sometimes acquire architectural pretension and reflect confident working communities. They frequently served various functions and it is possible that the Institute was associated with the nearby Methodist Church to the north-east (since demolished). During this period many parish churches acquired a suite of ancillary buildings to accommodate a range of non-liturgical activities for which the main church was deemed unsuitable.

The Institute is depicted on the first edition Ordnance Survey (OS) map of 1889 as a long rectangular building with a narrow rear projection which may have been the caretaker's residence. The footprint of the building does not change on the second and third editions of 1904 and 1931 but by the 1968 edition the rear projection has been rebuilt and enlarged. By the 1974 map it has again been extended to the rear. At some point around the 1930s the Institute was used as the Geest Social Club for the next fifty years and was then acquired by the Spalding Fitness Company in the late 1980s. It has been vacant for the past few years.

Details:

Former Christian Association and Literary Institute built in 1871.

MATERIALS: rich red brick laid in English bond with dressings in red brick, vitrified brick and limestone.

PLAN: the building has a narrow frontage facing south-east onto Spring Gardens and a long rectangular plan with rear extensions added in the second half of the C20.

EXTERIOR: the former Institute is in a flamboyant Venetian Gothic style with two storeys and an irregular three-bay facade. The floors are demarcated by a mixture of stone bands, brick cogging, and rows of sunken brick panels or square panels of vitrified brick which give the impression of coffering. The building has a pitched roof across the frontage with fleur-de-lis ridge tiles and a parapet at the north-east gable. The roof running at right angles along the rear is plain, although the eaves on the side and front elevations are embellished with brick machicolations.

The first bay is in the form of a three-stage square tower with an elaborate entrance on the ground floor. The double-leaf six-panel door has chamfered edges to the panels and is positioned under a kneelered stone gable with stone coping and a fleur-de-lis finial. The gable has a carved floral design in the gable head and waterleaf enrichment along the bottom. Set within the gable is a pointed arch resting on stone columns with Corinthian capitals and annulets. The recessed tympanum of the arch contains a circular date stone with the date 1871 surrounded by foliate carving; and the bottom edge is carved in a delicate chevron. The second and third stages of the tower have a recessed central panel. The second stage is lit by a four-pane window with wooden glazing bars set under a semicircular brick arch of rubbed red brick with a pointed arch of vitrified brick above. The third stage of the tower contains a blind oculus with a double circular surround of brick headers. The second bay is lit on the ground floor by a tall window (not original) with a cambered top and gauged brick arch, under a band of vitrified brick which continues across the third bay. The first floor is lit by a semicircular arch window under a pointed arch of vitrified brick which also continues across the third bay to form the window arches. The third gabled bay has tripartite windows on both floors in a slightly different design. Both have two mullions in the shape of stone columns (like those flanking the front door) but the ground floor windows have cambered upper sections whilst those on the first floor have pointed arches. The kneelered gable head is pierced by a blind oculus. It appears to have been originally surmounted by a finial but this has been removed.

The left return (south-west elevation) is divided into five bays by brick piers. On the ground floor the window in the first bay has been bricked up and a small horizontal window inserted in the C20. The second bay was originally bricked up and the next two bays are lit by one-over-one pane horned sashes with cambered upper sections. The first floor is lit by four-light windows with semicircular upper sections, except for the third bay which is blind. Above all the windows are vitrified brick arches which continue across the elevation. The fifth bay consists of the tower which has the same treatment as on the front elevation, except the ground floor is lit by a semicircular arch window.

On the right (north-east) return the gable end forms the first two bays which are divided by brick piers and lit by four-pane windows with semicircular overlights under gauged brick arches. The position of the internal staircase is articulated by a diagonal line of stepped brick. Following this the elevation becomes plain in detail and is faced in inferior brick probably because it would not have been visible when first built due to the close position of an adjacent building (since demolished). It is divided into three bays by brick piers and lit by a combination of sash windows with cambered upper sections and fixed light, semicircular arch windows. The rear C20 single-storey brick extensions are of standard construction and have flat roofs and are not included in the listing. INTERIOR: this retains numerous historic features including skirting boards, dado rails, picture rails, cornices and four-panel doors with chamfered edges to the panels. The small entrance lobby has a geometric tiled floor and leads into the entrance hall which provides access to the ground floor rooms and the staircase to the first floor. The closed well, quarter turn stair has a balustrade on the lower end with two balusters per tread that extend below the tread ends. The handrail twists at the end and is supported by a circular newel post with numerous annulets.

The first floor is one open space which presumably was the lecture hall. The high ceiling has a coved cornice and three intricately patterned ceiling roses where gas lights would previously have hung. The moulded window frames have recessed panels. The ground floor presumably contained the reading room, classroom and library but there are no surviving fixtures to indicate their former usage. The room in the south-east corner has been partitioned to create WCs but

retains its cornice and two ceiling beams supported by pairs of shaped brackets.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

South East Lincolnshire Local Plan, March 2019

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Policies:

1 Spatial Strategy
2 Development Management
3 Design of New Development
4 Approach to Flood Risk
10 Meeting Assessed Housing Requirements
11 Distribution of New Housing
17 Providing a Mix of Housing
28 The Natural Environment
29 The Historic Environment
30 Pollution
31 Climate Change and Renewable and Low Carbon Energy
32 Community, Health and Well-being
36 Vehicle and Cycle Parking
APPENDIX 6Parking Standards

National Guidance

National Planning Policy Framework (NPPF), 2021

Section 2 - Achieving sustainable development
Section 4 - Decision making
Section 5 - Delivering a sufficient supply of homes
Section 8 - Promoting healthy and safe communities
Section 9 - Promoting sustainable transport
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change
Section 15 - Conserving and enhancing the natural environment
Section 16 - Conserving and enhancing the historic environment

Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H16-1131-21 Planning Application. Change of use of existing building from dance/fitness studio (class E) to 2 x 1-bed flats and 5 x 2-bed flats (class C3) including the formation of a pitched roof to existing single-storey projection. UNDETERMINED. Note elsewhere on this agenda.

5.2 H16-0469-18. FULL. Change of use of the existing building from use class D2 to use class C3, to include four 2-Bedroom apartments and two 1-bedroom apartments, proposed new four storey apartment building including twelve 1-Bedroom apartments, and associated external works and infrastructure. REFUSED 20-03-19 for the following reason:

The proposals constitute over-development of the site and the design of the new block of apartments is out of keeping with the historical nature of this part of Spalding and would result in significantly detrimental harm to the Spalding Conservation Area and the setting of nearby Listed Buildings. Further the proposed arrangements for refuse/recycling storage and collection would be harmful to the amenity of the area.

The proposals are therefore contrary to Policy 3 (Design of New Development) and Policy 29

(The Historic Environment) of the South East Lincolnshire Local Plan (adopted March 2019) and Section 16 of the National Planning Policy Framework (February 2019).

This scheme was subsequently DISMISSED at appeal on 30-12-2019.

This appeal case was dismissed as the Inspector concluded that "... whilst there are some public benefits, these are moderate, and insufficient to outweigh the less than substantial harm that the proposed development would cause to the significance of the CA and the setting of the Grade II listed buildings. A less than substantial harm does not equate to a less than substantial objection and I give great weight to the conservation of the heritage assets. In any event, it seems to me that it would be entirely possible for a scheme to be brought forward that would secure similar benefits, without causing the same degree of harm."

6.0 REPRESENTATIONS

6.1 SHDC Conservation Officer

Comments.

On conservation grounds, the principle behind converting this disused listed property to regular residential use is a sound one. Furthermore, I am satisfied with the proposed external alterations to the property, especially the addition of a slated pitched roof over the extant flat-roofed rear extension, which is currently a detracting factor to the aesthetic qualities of the site.

However, having visited the site, I am concerned that the subdivision plan of the 1st-floor dance hall/ballroom risks causing a total loss of significance to this portion of the interior, which is undoubtedly the single most significant source of interior character to this site. The grand, double-height ceiling, mouldings, ceiling roses, and wide-open space with ample access to sources of natural light would be lost with the proposed extensive subdivision and the addition of a full-size mezzanine floor. I would recommend that the applicant should be required to present an alternative floor plan proposal that substantially cuts down the subdivision on the 1st-floor level and that is more respectful of the internal character of the property.

As an absolute minimum, I would expect that mezzanine floors should be recessed from the windows in order to preserve the character and contribution of the full-height windows, and subdivision should be planned such that it does not affect the character features of the interior.

Revised Scheme

Following on from my original comments, I reiterate that, on conservation grounds, the principle behind converting this disused listed property to regular residential use is a sound one. Furthermore, I am satisfied with the proposed external alterations to the property, especially the addition of a slated pitched roof over the extant flat-roofed rear extension, which is currently a detracting factor to the aesthetic qualities of the site.

Following discussions with the applicant's representatives and subsequent revisions of the proposed floor plan, I am now satisfied that the proposed layout of the former ball room area, to be converted to apartments is satisfactory in that it preserves key architectural features and is now much more open plan, preserving the wider, open character of the space. Therefore, I have no further objections or comments, and the case officer should continue to consider the application in accordance with all relevant policies and guidance.

6.2 Pedals

Reiterated issues raised in relation to the associated planning application, H16-1131-21 refers.

7.0 CONSIDERATIONS

7.1 **Planning Considerations**

7.2 Impact on the character and form of the listed building

7.3 It is considered that on conservation grounds, the principle behind converting this disused listed property to regular residential use is a sound one. Furthermore, the SHDC Conservation Officer is satisfied with the proposed external alterations to the property, especially the addition of a slated pitched roof over the extant flat-roofed rear extension, which is currently a detracting factor to the aesthetic qualities of the site.

7.4 Initially concerns were raised with the applicant regarding the subdivision plan of the 1st-floor dance hall/ballroom, that risked causing a loss of significance to this portion of the interior, which is the single most significant source of interior character to this site. The grand, double-height ceiling, mouldings, ceiling roses, and wide-open space with ample access to sources of natural light would be lost with the proposed extensive subdivision and the addition of a full-size mezzanine floor.

7.5 As a result of concerns raised, the application scheme was revised in order to preserve the character and contribution of the full-height windows on the upper floor and to retain the character features of the interior.

7.6 Officers are now satisfied with the revisions of the proposed floor plan, in that the proposed layout of the former ball room area, to be converted to apartments is satisfactory in that it preserves key architectural features and is now much more open plan, preserving the wider, open character of the space. Therefore, the SHDC Conservation Officer raised no further objections or comments. The application is now considered to be acceptable and in accordance with all relevant policies and guidance.

7.7 It is recommended that a full photographic building recording of the site shall be carried out, as suggested by the condition below, in order that the existing details of the building are recorded and retained.

7.8 For the reasons listed above, it is understood that these proposals help to bring a disused and dilapidated heritage asset back into regular and sustainable use, preventing further decline and does so in a manner which is sensitive to the design and history of the site. Therefore, this application must be considered to help to enhance the historic environment in accordance with Section 16 of the National Planning Policy Framework (2021).

7.9 Details of the boundary treatments to this building have not been submitted in detail, and it is intended that walls and railings are installed to the frontage of the property, and either existing boundary treatments are retained, or augmented. The form and nature of the boundary treatments would impact upon the character and appearance of this listed building, as well as impacting the existing curtilage listed boundary treatments. For this reason it is considered that full details should be submitted for approval and it is recommended by condition.

7.10 Planning Balance

The Local Planning Authority considers the planning balance to lie in favour of the proposal.

7.11 **Conclusion**

7.12 For the reasons listed above, officers deem this application 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 (2021). Therefore, this application is recommended for approval.

7.13 **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.

8.0 RECOMMENDATIONS

8.1 **Grant Listed Building Consent subject to those conditions listed at Section 9.0 of this report.**

9.0 CONDITIONS

1. The works must be begun not later than the expiration of three years beginning with the date of this consent.

   Reason: As required by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

   Application form
   Design and Access Statement SE-1515 May 2021
   Heritage Impact Assessment October 2021
   Flood Risk Assessment ECL0629/Swann Edwards Architecture November 2021
   SE-641 01
   SE-641 02
   PP1100 C
   PP1000 B

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to commencement of the development hereby approved, a full photographic building recording of the site shall be carried out which contains:

1 A general view or views of the building in its wider setting.
2 The building's external appearance.
3 The overall appearance of the principal rooms and circulation areas.
4 Any external or internal detail, structural or decorative, which is relevant to the building's design, development and use, with scale where appropriate.
5 Any machinery or other plant, or evidence for its former existence.
6 Any dates or other inscriptions; any signage, makers' plates or graffiti which contribute to an understanding of the building. A transcription should be made wherever characters are difficult to interpret.
7 Any fixtures and fittings
8 Copies of maps, drawings, views and photographs, present in the building and illustrating its development or that of its site.

This photographic Building recording should also contain a written account which provides the precise location of the property as an address and in the form of a National Grid Reference, A note of any statutory designations and the date of recording with the name(s) of the recorder(s) and the location of nay archive material.

Prior to the development hereby approved, the photographic building recording report shall be submitted to and approved in writing by the Local Planning Authority and submitted to the Lincolnshire County Council Historic Environment Record for archiving within 3 months of completion.

Reason: To ensure that the heritage significance of the host property is properly recorded in its undeveloped state.
This condition is imposed in accordance with Section 16 of the National Planning Policy Framework.

4. All replacement and repairs to rainwater goods shall be of cast iron construction and thereafter so maintained.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this listed building and the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

5. Prior to its installation, details of the proposed boundary treatments, including a detailed schedule of walling, railing and fencing levels, heights and materials, to a scale of no less that 1:50 shall be submitted to and approved in writing by the Local Planning Authority, and the details so approved shall be implemented in full before the development is first brought into use and retained thereafter.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this listed building and the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019.

6. Before the development is commenced beyond oversite, details of the materials to be used to the roof of the development hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, and all roofing materials used in the development shall conform to the details so approved.

Reason: In the interests of the architectural composition and appearance of the development and the character and visual amenity of this listed building and the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021.

7. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and by identifying matters of concern within the application and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

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Background papers:- Planning Application Working File

Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:750
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