DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1302-21**	**Applicant:**	**A S & S Property Investments Ltd.**
Proposal:	Internal alterations and conversion from Class E to mixed use Class E / Class C3 (12 residential units)		
Location:	11 Market Place Spalding		
Terminal Date:	12th August 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019	
01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
06	Developer Contributions
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
24	The Retail Hierarchy
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
26	Primary Shopping Frontages
28	The Natural Environment
29	The Historic Environment
30	Pollution
32	Community, Health and Well-being
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards
APPENDIX 8	Developer Contributions for Education Facilities
APPENDIX 9	Developer Contributions for Health Care Facilities

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments

WARD MEMBER	0	0	0	0
SPALDING & DISTRICT CIVIC SOCIETY	0	0	0	1
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Listed Building Consent application for internal alterations and conversion from Class E to mixed use Class E/Class C (12 residential units).

Specifically the building was last used as solicitors' offices and this proposal would change the use to retain a commercial element on the ground floor (Use Class E), with three 2 bedrooms flats and 9 one bedroomed flats on the upper floors.

Vehicle access will continue to be from Drapers Place and the existing parking spaces utilised. It is proposed that four spaces would be used for the office element and one space allocated per flat. Cycle parking will be located in the existing building and 20 cycle parking spaces are proposed.

Internal alterations are proposed to facilitate the conversion to residential use.

The application is supported by a Design and Access Statement incorporating Heritage Impact Assessment, a Viability/Vacant Building Credit Report and a Flood Risk Assessment, together with a Schedule of Works.

Alterations have been made since submission to revise the internal layouts to minimise the loss of historic fabric.

The revised Schedule of Works sets out the external works as follows:

- All external masonry is to be raked out and re-pointed as required.
- All raking out and any repair work to stone to be carried out using hand tools only.
- Brickwork that needs to be replaced will be carried out using locally sourced brick to match existing.
- All cracks and brick repairs to be completed before any other work to the structure is commenced.

Th internal works to shared areas and each individual apartment is also set out in this document. A condition is suggested to ensure that the works are undertaken in accordance with this Schedule.

Site Description

The application site comprises a substantial mid-terrace property located on Market Place in Spalding town centre . Market Place, which is largely pedestrianised, lies within the designated Primary Shopping area for Spalding and is also designated as Primary Shopping Frontage.

The building, which is located within the Spalding Conservation Area, is Grade II Listed. The listing description describes it as:

Mid C19. 4 storeys in brick with stone dressings. 3 windows, cornices on carved brackets, round-

arched heads, bands at cills. 2nd floor has 2 windows with triangular and 1 with segmental pediment, segmental-headed windows with keystones. 1st floor windows similar, but with segmental pediments. Modern shop front. In similar style to No 12 (q.v.). Nos 11, 12 and 14 form a group.

The site is currently vacant but was last occupied by Calthrops Solicitors. The building is four storeys high at the front with significant two storey elements to the rear. Vehicle access is from Drapers Place to the south. It has a car park to the rear with 16 marked out parking spaces.

History

H16-1319-21. FULL. Internal alterations and conversion from Class E to mixed use Class E/Class C (12 residential units). UNDETERMINED.

Consultation Responses

SHDC Conservation Officer

I wish to raise no objections to this proposal on conservation grounds. The proposed layout adjustments appear to be minimal and sensible for the proposed usage. It would appear that character features are being preserved by this proposal and the proposed additional subdivisions will be constructed using fully reversible metal stud walling. Appreciation is given for the attention to detail, such as the use of secondary glazing where possible rather than replacement or double-glazed windows. Furthermore, the internal restoration of this listed building, which is in poor and declining condition is considered to be an enhancement of the historic environment.

The case officer should continue to determine this application with regard paid to Policy 29 of the SELLP as well as Section 16 of the NPPF, alongside all other considerations found to be relevant.

Spalding & District Civic Society

We welcome the detailed proposals to undertake repairs to brickwork, masonry and windows as part of this conversion. We note however, that there are no proposals to clean the brick and stonework on the frontage of the building which would, if undertaken offer a significant and very positive enhancement to this building and the town centre in general. Such works would be in keeping with the requirements of policy 29 of the South East Lincolnshire Local Plan.

We hope that there will be a commitment to retain the ground floor for commercial use, and that the property owner will explore all possible avenues to facilitate such use in these challenging times.

We note the reference to policy 31 of the South East Lincolnshire Local Plan in the design and access statement, but we can not see how the applicant proposes to mitigate the inevitable effects of higher energy usage in this building during evenings and weekends as a result of residential usage. It is not clear whether the heating and lighting systems will be updated in such a way that reduces the usage of fossil fuels. We hope that this will be
addressed as part of the detailed designs for this proposal.

Planning Considerations

Impact upon the listed building

The response of the SHDC Conservation Officer is set out above. The application has been revised to accommodate the need to minimise the loss or alteration of the historic form and fabric of the building.

A minimal cleaning approach is to be taken to reduce impacts upon the external fabric of the building.

A schedule of works has been provided that documents key features of the building.

It is considered that the proposals would accord with Policy 29 of the SELLP as well as Section 16 of the NPPF.

Other matters

The Spalding & District Civic Society have raised Policy 31 of the SELLP, and mitigation regarding energy and fossil fuel use. As this is a conversion rather than a new build, and given the sensitivities regarding the fabric of this listed building, it is not considered that at this time that it would be appropriate to condition the methods of energy provision and usage.

Conclusion

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.