

BOSTON BOROUGH COUNCIL**Planning Committee – 10 January 2017**

Reference No: B/16/0353

Expiry Date: 16-Nov-2016

Application Type: Listed Building Consent

Proposal: External alterations to remove a soil pipe. Internal alterations, including the removal of walls and fabric and the installation of walls and fabric to facilitate the change of use of the first and second floors from offices (B1 use) to 8 dwellings (C3 use)

Site: 36-39 Market Place, Boston, Lincolnshire, PE21 6NH

Applicant: Mes Commercial Ltd

Ward: Trinity

Parish: Boston Town Area Committee

Case Officer: John Taylor

Third Party Reps: None received

Recommendation: GRANT**1.0 Reason for Report**

1.1 The application is presented to Planning Committee at the request of Councillor Sue Ransome with concerns raised over the affect that the proposal would have on the wider area of the town centre.

2.0 Application Site and Proposal

2.1 The proposal relates to the first and second floors of no's 36-39 Market Place Boston. The buildings form part of the Exchange Building that is a Grade II* building situated in the heart of Boston town centre and within Boston Conservation Area.

2.2 The exchange building forms part of the south-western enclosure to the Market Place and contributes significantly to the historic quality and interest within this area.

2.3 The site is also located in the General Business Area (GBA) and in an area of known archaeological interest.

2.4 The use of the ground floor of the buildings include retail, restaurant/takeaway use and a betting shop and the upper floors have been used as offices and a training and education centre. The upper floors are now vacant.

2.5 According to the information held by Historic England the listing contains the following information;

'36-39 Market Place (the Exchange Buildings) built by Boston Corporation as a fish market with dwellings above, now shops and offices; designed by Thomas Lumby and completed in 1772; C19 and C20 alterations'

*'Architectural interest: It is of more than special interest for its imposing well-balanced design by the architect Thomas Lumby, and for its attention to detail in its street, bridge and riverside elevations. * Historical interest: It forms part of a significant late C18 and early C19 remodelling of Boston's historic Market Place, and, together with other major developments, particularly those financed by the Corporation, for example the refurbishment of the Guildhall on South Street, listed at Grade I, mark a notable period in the town's history. * Interior: Surviving detail displays good quality craftsmanship and is indicative of the high status of these dwellings that occupied a prime position on the Market Place, Boston's historic commercial centre. * Group Value: The building is a component of one of the most important historic public spaces in Boston, one which continues to clearly reflect the complex historical development of the settlement.'*

2.6 This proposal seeks listed building consent for the alterations (predominantly internal) to allow for the change of use of the first and second floor of the Exchange Building (36-39) creating eight residential units.

2.7 It should be noted that the related planning application (ref: B/16/0382) for the conversion of the building to create eight flats appears elsewhere on this agenda. Listed building consent is not required for the change of use.

3.0 Relevant History

3.1 There has been a succession of applications and approvals for alterations/ changes of use and signage. None are particularly relevant to this application other than to demonstrate that there have been many approved alterations and changes.

4.0 Relevant Policy

Boston Borough Adopted Local Plan

4.1 There are no saved policies in the Adopted Local Plan that relate to conservation areas and/or listed buildings therefore the focus for guidance in the determination of this application is contained in the NPPF.

National Planning Policy Framework (2012)

- 4.2 The NPPF encourages good design (Part 7) and sustainable forms of development and, given that the building is Grade II* listed and within the Boston Conservation Area, Para 131 of the NPPF states: 'In determining planning applications, Local Planning Authorities should take into account;
- The desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality
 - The desirability of new development making a positive contribution to local character and distinctiveness.'
- 4.3 Para 132 'When considering the impact of a proposed development on the significance of a designated asset, great weight should be given to the assets conservation. The more important the asset the greater the weight should be. Significance can be harmed or lost through alteration or destruction of a heritage asset or development within its setting....'
- 4.4 Section 66 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty on Local Planning Authorities when considering to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
- 4.5 In addition, section 72 of the Act places a general duty on a Local Planning Authority to pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area.

5.0 Representations

- 5.1 No representations have been received.

6.0 Consultations

- 6.1 Lincolnshire County Council (Highways and SUDS) – No objections.
- 6.2 Historic England – Determine in accordance with local and national guidance.
- 6.3 Consultant Architect – Following receipt of amended plans no objection subject to conditions.

7.0 Planning Issues and Discussions

7.1 The key issue in the determination of this application is the impact of the alterations on the Grade II* listed building and the Conservation Area.

The effect of the alterations on the Grade II* listed building and the Conservation Area

7.2 The internal layout of the building, in particular the first floor, has four large rooms to the front and two rooms to the rear. These rooms have been adapted for office use but a number of historic features remain. These include panelled doors and linings and plastered ceilings with plain moulded plaster cornices. The proposal will involve the subdivision of these rooms to form the bedrooms, kitchens and bathrooms.

7.3 Concerns were originally raised by the Council's Consultant Architect in such that the subdivision of these rooms may result in the internal historic character of the building being lost. These concerns also highlighted that the section drawings are indicative only and that existing features will be kept 'where practical' or 'left in situ behind new infill elements, preserving the existing condition.'

7.4 The Heritage Statement submitted by the applicant states;

- The majority of features of special architectural or historic interests have been removed during the buildings lifetime, including the removal of parts of internal walls and most of the internal features. As a consequence the proposals have little impact on the character or architectural qualities to the internal spaces. The intention is to keep the existing features of merit, for example the existing central staircase, windows and linings and existing doors and linings where practical.
- Existing doors and panelling will be utilised within the scheme or left in-situ behind new infill elements, preserving the existing condition.
- All existing timber windows will remain, with internal panelling remaining also, preserving the existing condition.
- The moulded ceiling at first floor (within Room 11) will remain. A new ceiling will sit underneath the existing, preserving the existing condition.
- The remaining beams and mouldings at second floor will remain, preserving the existing condition.

7.5 Following further consultation with the agent amended plans have now been received along with further justification/clarification of how the proposal impacts on the internal historic features. The applicant has raised the following points of clarification;

- The dog leg stair will remain as existing and serve all of the proposed new dwellings
- 6 panelled doors and linings – the proposal scheme keeps 7 of the 9 existing panelled doors
- At first floor the only original articulated ceiling can be seen within room 11. There are no other cornice details within the first floor roof scape, all ceilings are flat soffits devoid of any articulation. The proposed scheme has been revised and the down stand ceiling beams and cornices within room 11 will be viewed from within the proposed bed 1 space
- All ceilings at first floor which have down stand ceiling beams and cornices will remain as existing
- The spatial quality of rooms 08, 07, 09, 10 and 11 will remain as the rooms either have no new walls or the walls are reduced in height to allow the reflected ceiling plan to be viewed above new ceilings from within the space.
- Within the Conservation Architect's recommendations it states "It may be possible to reduce the number of units with larger apartments at first floor...". The increase in size of the apartments at first floor is not a viable option for the scheme. The scheme is proposed as a two bedroom scheme with good size bedrooms and supporting spaces. Given the location of the building within the town centre four bedroom apartments are not feasible and the applicant would not intend to pursue a scheme of this type.
- Within the Conservation Architect's recommendations it also requests more information regarding the service provision. The strategy allows for the following:
 - (i) No soil pipework is expressed to the external face of the building. All pipework is contained within the existing fabric and falls to the existing entrance area for collection at ceiling height before exiting the building to join to the existing soil pipe to the rear external elevation. This soil pipework strategy removes some existing external soil pipework from the existing rear elevation This is in effect betterment to the existing condition.
 - (ii) The ventilation strategy allows for the vertical transfer of small ductwork to the flat roof area of the building within risers. There will be no visible evidence of extract vents to the building when viewed within the broader context.
- Within the Conservation Architect's recommendations it also requests where fire doors are required –the service strategy, which indicates all fire doors are internal and will not harm the architectural character of the interior of the building. The fire doors can be solid timber 6 panel door to match the existing doors where they remain.

7.6 The applicant goes on to state:

- The subject building is currently empty and does little to contribute to the conservation area or broader town centre. The proposed scheme is a realistic approach to safeguarding the first and second floors to this important building by promoting a more economically viable use for the building. The upper residential accommodation provides sustainable dwellings in a town centre location adding vitality and viability which would improve and enhance the listed building, the conservation area and Boston Town Centre.
- When considering the impact of this proposed development on this designated heritage asset great weight has been given to the asset's conservation. Externally there will be no appreciable change to the existing fabric, allowing the buildings prominent role within the historic town centre to remain. Internally the proposed adjustments to the existing fabric are balanced against the character of the remaining solitary historic elements which have greatly reduced the character of the building. The elements which have survived will remain as described above with the intention of being preserved within a viable scheme, securing the heritage assets future consistent with its long term conservation and enhancing the local character and distinctiveness.

7.7 Following the receipt of the amended plans and further justification/clarification the Consultant Architect was reconsulted on the scheme. The Consultant does not now object to the proposed scheme subject to conditions being attached to any forthcoming approval.

7.8 It is considered that the amendments made to the scheme are more sympathetic to the building with key features/spaces within the Exchange Buildings being retained. The revised scheme appears to be a scheme that is acceptable in terms of both principle and detail subject to appropriate conditions.

8.0 Summary and Conclusion

8.1 The proposal offers eight residential units dispersed on the first and second floor of a listed building. The centrally located site is in a highly sustainable area and the use of the upper floors for residential accommodation is generally accepted within town centre locations as it makes efficient use of upper floor space for much needed residential accommodation. It is even more imperative that a Grade II* listed building is retained in some active use.

8.2 Alterations to the listed building appear to have respected the internal features and historic fabric of the building, the conservation tests have been satisfied and the allowance of this proposal will protect the long term future of this heritage asset.

9.0 **Recommendation**

It is recommended that Committee GRANT Listed Building Consent subject to the following schedule of conditions and reasons:

1. The works must be begun not later than the expiration of three years from the date of this permission.
Reason: Required to be imposed pursuant to Section 18 of the Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

2. The development hereby permitted shall be carried out in strict accordance with the application received 19 September 2016 and in accordance with the associated plans referenced:
 - Ref: J1626(08)01 'Site Location Plan' (1/9)
 - Ref: J1626(08)04 Rev A 'Existing Floor Plans – Fabric to be Removed' (4A/9)
 - Ref: J1626(08)06 Rev A 'Proposed Floor Plans and Roof Plan' (6A/9)
 - Ref: J1626(08)07 'Proposed Elevations' (7/9)
 - Ref: J1626(08)08 Rev A 'Proposed Sections' (8A/9)
 - Ref: J1626(08)09 'Proposed Service Strategy' (9/9)

And with the details received by email on 24 November 2016 at 15.55.

Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with saved Policy G1 of the Adopted Plan.

3. Prior to the commencement of the use of any of the residential units hereby approved the following details shall be submitted to and approved by the Local Planning Authority;
 - (i) Details are to be provided at not less than 1:10 of any new doors that are being introduced to show frames, architraves and mouldings;
 - (ii) Should any of the existing doors require upgrading for fire resistance purposes, details of the system to be used shall be submitted for approval prior to installation;
 - (iii) The ironmongery to be used on new doors and any changes to fittings on existing doors shall be fully specified and submitted for approval prior to their installation.

The development shall proceed fully in accordance with the approved details.

Reason: To preserve the character, appearance and integrity of the listed building in accordance with the intentions of the National Planning Policy Framework (2012).

In determining this application the authority has taken account of the guidance in paras 186 – 187 of the NPPF (2012) in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Paul Edwards
Development Control Manager