

BOSTON BOROUGH COUNCIL

Planning Committee 21 August 2018

Reference No: B/18/0184

Expiry Date: 24-Jul-2018

Application Type: Listed Building Consent

Proposal: Retrospective Listed Building Consent for retention of front door and UPVC double glazed windows at front and rear

Site: 31 Sleaford Road, Boston, Lincolnshire, PE21 8EH

Applicant: Mrs Karen Fletcher

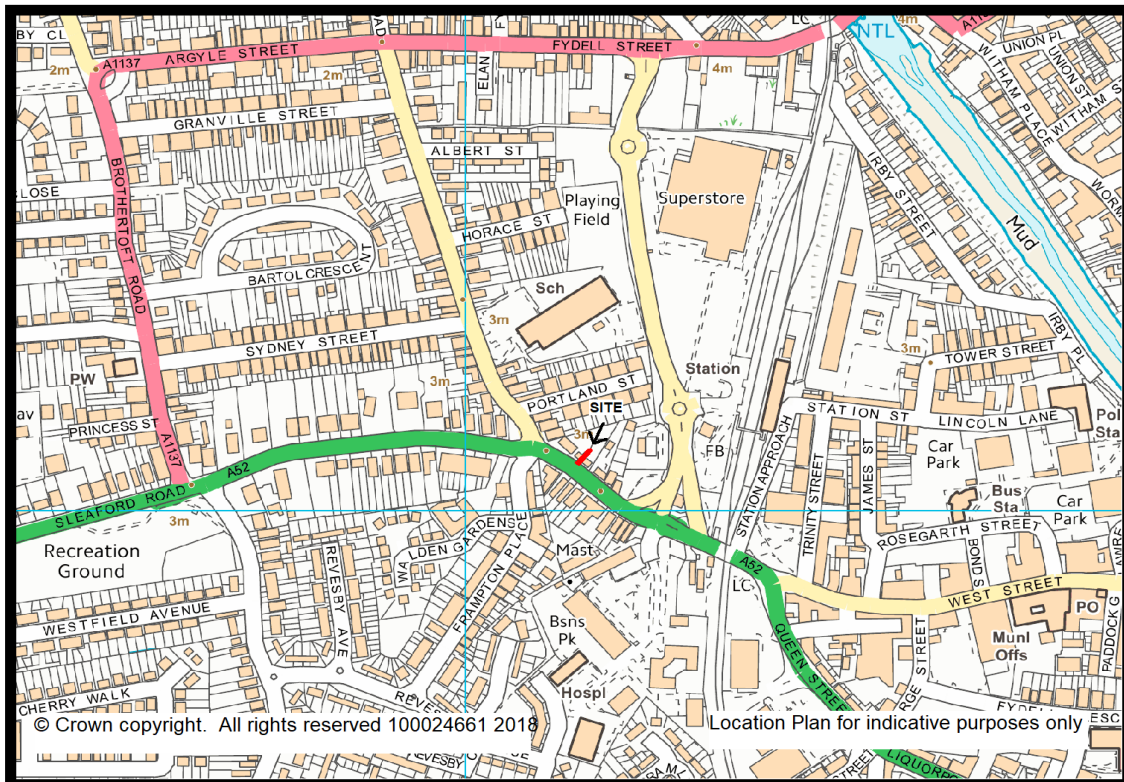
Ward: Staniland South
Parish: Boston Town Area Committee

Case Officer: Lisa Hughes

Third Party Reps: None

Link to Planning Record: [B/18/0184](#)

Recommendation: REFUSE



1.0 Reason for Report

- 1.1 The application is presented to Planning Committee due to the listed building consent history of the surrounding properties that this dwelling is part of.

2.0 Application Site and Proposal

- 2.1 29, 31 and 33 Sleaford Road are located on the northside of Sleaford Road towards Portland Street and are two storied terraced dwellings and form Grade II listed buildings. The application property itself is a mid terraced dwelling and the immediately surrounding area is residential in character.

- 2.2 The listing description is:

“Row of 4 houses, now a terrace of 3 houses. Early C18 with C19 and C20 alterations. Roughcast render, red brick, pantile and concrete pantile roofs, 2 ridge stacks, brick coped part-tumbled gables. EXTERIOR: 2 storeys plus attics, 4-bay front arranged 2:2. To left Nos 31 & 33 each have a C20 half-glazed door set in pilastered doorcase with bracketed flat hood. Between the doors 2 divided sashes, with 2 similar windows above. These 4 sashes have brick segmental heads. No.29 has a roughcast front, with to right a canted bay window with plain sashes, flat lead roof. To left a divided sash and a 2-light casement with overlight, probably in a former door position. Above 2 divided sashes. In the roof two 2-light casement dormers with segmental lead roofs. In the right-hand gable a C19 panelled door in plain wooden surround, and in the gable a 2-light casement attic window. INTERIOR: not inspected.”

- 2.3 This is a retrospective application: the applicant has commenced and completed the works without the benefit of listed building consent. The submitted details/photos relate to the following;

- Retention of replacement front door;
- Retention of ground floor front facing white uPVC double glazed window;
- Retention of first floor front facing white uPVC double glazed window;
- Retention of first floor rear facing white uPVC double glazed window.

3.0 Relevant History

- 3.1 B/02/0058. 15 April 2002 Listed building consent refused for the installation of three UPVC windows on the front elevation and one uPVC window on rear elevation for the following reason;

1. The installation of plastic uPVC windows on the front and rear elevations by virtue of their material, design and appearance represents a detrimental feature to the character of the Grade II listed building. The proposal is contrary to Policy C2 of the Boston Local Plan which seeks to resist proposals which are harmful to the architectural character or historical interest of the building.

4.0 Relevant Policy

Boston Borough Adopted Local Plan

- 4.1 The development plan consists of the saved policies of the Boston Borough Local Plan (Adopted 1999). Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the plan unless material considerations indicate otherwise.
- 4.2 The land is within the defined boundary of Boston but other than the dwelling being Grade II listed has no other designations.
- 4.3 The saved Local Plan Policies of relevance to this application are as follows:
- G1 – Amenity

There are no saved Policies relating to listed buildings.

National Planning Policy Framework (2018)

- 4.4 Section 16 – Conserving and enhancing the historic environment

5.0 Representations

- 5.1 As a result of publicity no representations have been received.

6.0 Consultations

- 6.1 Consultant Architect - These are historic windows which need to be repaired and retained by a local craftsman joiner and then repainted. The sashes can be recorded and re-hung. Frames can be repaired using scarfed joints. Secondary glazing could be considered for the interior. There are a number of companies who make secondary glazing to fit in with historic sash windows. The overall response is an objection.

7.0 Planning Issues and Discussions

- 7.1 The key issues in the consideration of this application are:
- the impact of the proposed works on the character of the listed building and
 - upon the amenities of the surrounding occupiers.

Impact on the Character of Building

- 7.2 The premises are Grade II listed, Section 66 of the of the Planning (Listed Buildings and Conservations Areas) Act 1990 sets out a general duty affecting listed buildings. Regard should be given to the desirability of preserving the building or its setting and any features or special or historical interest which it possesses. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be attached. The National Planning Policy supports this approach and advises that the level of detail provided should be proportionate to the assets importance.

- 7.3 The previous application that was considered in 2002 (B/02/0058) and the reasons given for that refusal is given at Section 3. The views of the Heritage Consultant have also been noted. The Planning Authority recognises that heritage assets are an irreplaceable resource and that it is important to conserve them in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of this life and future generations. The list description recognizes that Nos. 31 & 33 each have a 20th Century half glazed door set in a pilastered door case with a bracketed flat hood. Between the doors there 2 divided sashes, with two similar windows above. The sashes have brick segmental heads. The applicant points out that the alterations were carried out to prevent the existing doors and window frames being damaged further by rotting. The applicant advises that the previously existing front door was damaged by a storm in August 2016, this occurred by a drain outside the property being blocked. The existing front windows at the time which were timber sash windows at both ground and first floor were both rotting and had been nailed, screwed and painted shut and could not be opened. The damp and rotten frames had resulted in damage to the brickwork and noise nuisance regularly occurred from motor vehicles using the Sleaford Road. The first floor rear window timber frame was also rotten. With regard to the impact upon the living conditions of the applicant and their family, the defective windows led to black mould appearing on the frames resulting in poor health and infections being caused. The applicant has provided evidence in the form of photographs to demonstrate the damage caused to the property.
- 7.4 In response to the submitted details the planning authority has sought to act in a reasonable, transparent and consistent manner and does accept and recognise that conservation is an active process of maintenance and managing change and this requires a flexible and thoughtful approach to get the best out of heritage assets. It is noted that the adjoining property at number 29 has had similar alterations carried out around 1996 under application B/06/0200/96. The approval of the works at that time was a Committee decision, contrary to Officer recommendation. At the time of the 3 building's listing in 1996, the bay window and other alterations (e.g. render) to number 33 was already in place. English Heritage (at that time) still considered it appropriate to list the buildings notwithstanding the various alterations. It is accepted that the existing door and timber window frames had suffered from significant damage prior to them being replaced.
- 7.5 The National Planning Policy Framework, Section 16 requires applicants to describe the significance of the heritage asset, including any contribution made by their setting. The information should be proportionate to the assets' importance. In determining planning applications, local planning authorities should take account of the
- a) desirability of sustaining and enhancing the significance of the heritage asset and putting them to a viable use consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.

- 7.6 The NPPF also identifies that any harm to the significance of a designated heritable asset, including its alteration, should require clear and convincing justification. The harm can be assessed as being either substantial or less than substantial.
- 7.7 In assessing the current proposal, the new front entrance door does retain a proportion of glazing and the pilastered door case feature and a bracketed flat hood have been retained. The property is set back from Sleaford Road and the Consultant Architect does not raise any objection to the altered door.
- 7.8 The alterations to the windows match the adjoining properties. However, the introduction of uPVC frames is not in keeping with the character and setting of the listed building in relation to its impact within the wider streetscene. The granting of permission at 29 Sleaford Road, approximately 22 years ago is not seen as a reason to allow uPVC windows with an inappropriate material for a historic building and a wider frame moulding than would have been present with the timber windows. In this case, it is considered that the proposal results in less than substantial harm to the significance of the heritage asset. This is due to the two adjoining properties already having uPVC windows and both comprise part of the group listing. As noted previously, at the time of the listing number 29 already had uPVC windows.
- 7.9 This harm should be weighed against the public benefits of the proposal. The benefit is that the building is now watertight and therefore its longer term conservation is preserved. However, this could also have been achieved if the windows had been repaired, or more likely replaced with timber windows matching those in place prior to their replacement. This public benefit is therefore not considered to outweigh the harm to the listed building. Each application is determined on its own merits, however some regard should be given to the possibility that if permission were granted that other owners of listed buildings might consider this to be a reason for replacing their timber windows with uPVC. The applicant, in replacing the windows have tried to respect the openings in which they are inserted but, by virtue of their materials and mouldings, do not sit naturally within the windows frame and appear awkward and out of context. The rear facing window would overlook an existing closed courtyard and would not be visible from the street frontage and as such, in this instance is considered acceptable. This rear window has not been objected to by the Consultant Architect. Like the previous refusal, this application is considered would erode the architectural detailing externally resulting in harm to its architectural fabric and heritage setting and no overall public benefits are considered to exist to justify the proposal.

Impact on Residential Amenity

- 7.10 Saved Local Plan Policy G1 seeks to resist development that would substantially harm the amenities of nearby residential occupiers or the general character of the area. The National Planning Policy Framework seeks to secure high quality sustainable design and a good standard of amenity for all existing and future occupants of buildings and in particular it also aims to ensure that residential amenities are continued to be protected. The proposed alterations would not result in loss of outlook, or privacy to surrounding occupiers and comply with both the local planning policies and the National Planning Policy Framework which seeks to ensure that residential amenities are continued to be protected.

8.0 Summary and Conclusion

- 8.1 Listed building consent has previously been refused for a similar development in 2002. The insertion of uPVC windows in the front elevation are considered to harm the character and setting of the listed building. In accordance with the National Planning Policy Framework, works that have a less than substantial harm should only be approved when there are public benefits. In this case no such public benefit is considered to exist.
- 8.2 Listed building consent has previously be granted at the adjoining dwelling for uPVC windows, however each development should be determined on its own merits and this is not justification to grant consent for a development contrary to national policy.
- 8.3 There is no objection to the replacement front door or uPVC window to the rear elevation.

9.0 Recommendation

- 9.1 It is recommended that Committee refuse listed building consent for the following reason:
 1. The installation of plastic uPVC windows on the front elevation by virtue of their material, design and appearance represents a detrimental feature to the character and setting of this Grade II listed building. As such, the proposal fails to enhance the building and negatively contributes to its character and distinctiveness. The proposal is therefore contrary to the National Planning Policy Framework 2018 which seeks to resist proposals when harm is 'less than substantial' unless there are public benefits to outweigh the harm. No public benefits are considered to exist to outweigh this harm.

Refused Drawing Numbers: 4.1 Front door; 4.2 Lower window; 4.3 Upper window and 4.5 Back window now.

In determining this application the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework, 2018 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Lisa Hughes
Development Manager