



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee



S22/1866

Proposal: Proposed courtyard areas, walls, gates and blocking up of existing opening to Cheyne Lane. Works associated with S19/2237.

Location: Land Adjacent 3, 5, 22, 24 & 25 Stamford Walk and 16 St Marys Street, Stamford, PE9 2DF

Applicant: Mr A Duce

Agent: Jamie Burton – Swann Edwards Architecture Ltd

Application Type: Listed Building Consent

Reason for Referral to Committee: Character and appearance of the proposed courtyard areas – DE1
Blocking up of access in wall Cheyne Layne which has historical significance – EN6

Key Issues: Impact on the significance of the listed buildings

Technical Documents: Heritage Impact Statement

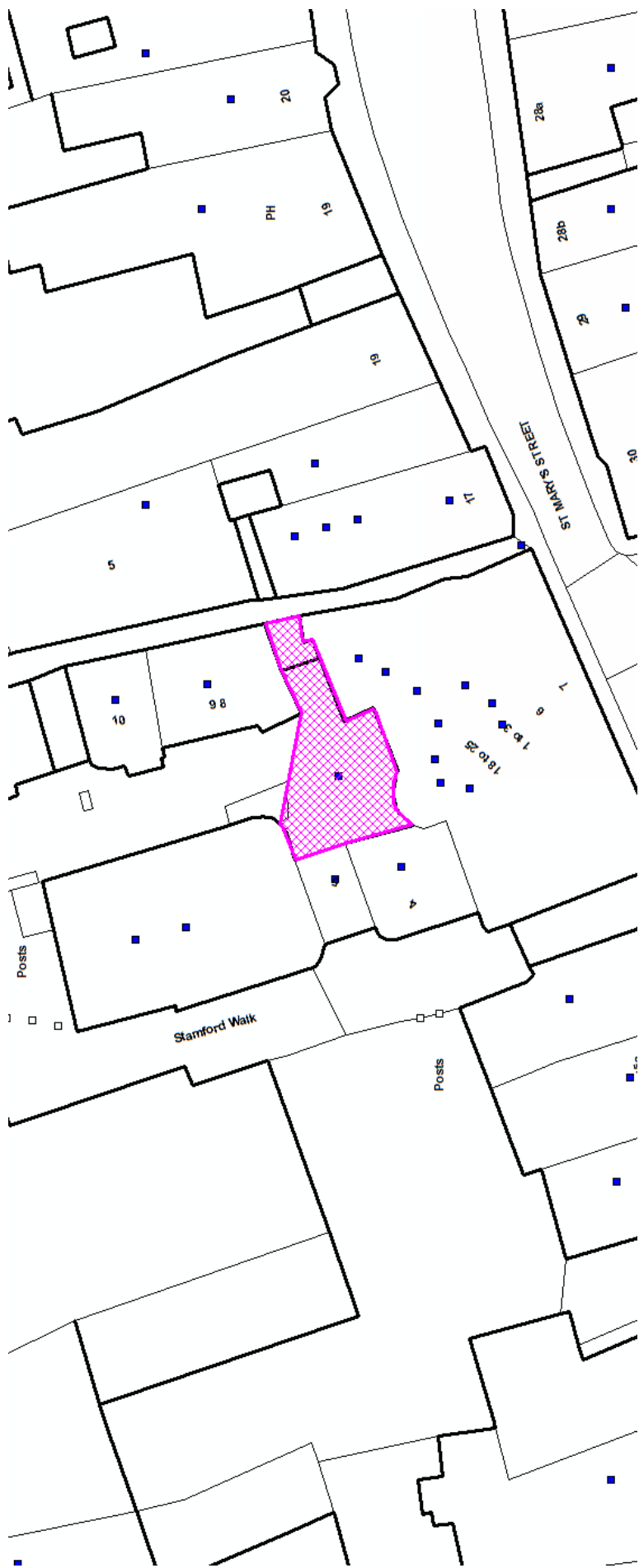
Report Author
 Hannah Nouch, Development Management Planner
 01476 406080

Corporate Priority:	Decision type:	Wards:
Growth	Regulatory	Stamford St Mary's

Reviewed by: Ellie Sillah Principal Planning Officer | 20 March 2023

Recommendation (s) to the decision maker (s):
 To authorise the Assistant Director – Planning to approve the application subject to the following conditions.

S22/1866 - Land Adjacent 3, 5, 22, 24 & 25 Stamford Walk, And 16 St Marys Street, PE9 2DF



Key



Application
Boundary



1 Description of Site

- 1.1 The application site is located to the rear of the former Stamford Hotel which is located on St Marys Street in Stamford. The space behind this former hotel forms part of Stamford Walk, of which access can be gained by 3 access points. There are two openings providing access along Cheyne Lane and one access point from further along St Marys Street, which travels alongside the Black Bull.

2 Description of Proposal

- 2.1 This application is seeking listed building consent relating to the creation of a courtyard areas within the existing Stamford Walk, directly to the rear of the former Stamford Hotel, to be used as 3 private amenity spaces in connection with the previous approval for part conversion of the former Stamford Hotel into flats. Creation of the courtyard would involve the blocking up of an existing open in the Cheyne Lane which afforded access to Stamford Walk. The courtyard design would consist of a series of Stamford stone walling with white oak timber access gates. The walls would adjoin the listed former Stamford Hotel and Black Bull.
- 2.2 Further to comments from the Conservation Officer the originally submitted plans have been amended from proposed brick walls to Stamford Stone, and the extent of the courtyards has been reduced.

3 Relevant History

- 3.1 S22/1865 – Full Planning Permission - Proposed courtyard areas, walls, gates and blocking up of existing opening to Cheyne Lane. Works associated with S19/2237. – Pending Consideration
- 3.2 S19/2237 – Full Planning Permission - Conversion and change of use of (Partial) of existing building (Grade II* Stamford Hotel) into 1x dwellinghouse and 3x flats, with associated internal and external alterations – Approved Conditionally

4 Policy Considerations

- 4.1 **SKDC Local Plan 2011 – 2036**
Policy DE1 - Promoting Good Quality Design
Policy EN6 - The Historic Environment
- 4.2 **Neighbourhood Plan**
Stamford Neighbourhood Development Plan
- 4.3 **National Planning Policy Framework (NPPF)**
Section 16 - Conserving and enhancing the historic environment

5 Representations Received

- 5.1 **SKDC's Conservation Consultant**

5.1.1 Comments Received 17/2/23

I am in receipt of amended details to the above which now show a re-aligned and more ordered layout to the proposed boundary walls to be erected at the rear of the building. The walls are also now to be more appropriately constructed in stone with stone copings. The view of the rear of the Hotel from the pedestrian area to the north will now be attractively presented. I note however that the section of wall enclosing the Town House courtyard is still specified to be in brick – I assume this is an oversight on the plans. Also, the site location plan still shows the boundary walls in their original position. Perhaps amendments to the plans to clarify these points should be requested – not least for the avoidance of doubt.

5.1.2 The existing opening onto Cheyne Lane appears to be a modern alteration to the original wall - there is a concrete lintol over the opening and the reveals appear to be comparatively recently formed. In my opinion, if its is confirmed that the opening can be blocked, this would be better carried out in matching stone coursed through with the existing, with the lintol removed.

Comments received 23/2/23

The points previously raised have now been dealt with.

5.2 Stamford Civic Society

5.2.1 (Comments on original scheme) - We object strongly to this application on the grounds of:

- I. The quality of the proposed works
- II. The closing off of areas that for generations have provided free public access. This includes access from Cheyne Lane. These proposals may be open to legal challenge.

5.2.2 We feel that this proposal sits very uneasily in the space, its feeling is domestic and this clashes with the scale and quality of the rear of the hotel, with the apse staircase structure and the overall height topped off with the splendid lanterns. It would be better left open as part of a landscaping scheme to help rejuvenate the whole courtyard to the rear and provide an external green space for the old hotel and the proposed conversion of the Black Bull whilst retaining the current rights of way through and across the site.

5.3 Lincolnshire Fire and Safety

5.3.1 We have no representation to make with regards to Application S22/1866.

5.3.2 With regards to your enquiry relating to egress in the event of fire, fire safety guidance for non-domestic premises, or for buildings with two or more dwellings, states that where a final exit discharges into an enclosed area, further access to a place of total safety should be available by means of further doors or gates that can be easily opened in a manner similar to the final exit.

5.3.3 Final exit doors should be quickly and easily openable without a key or code in the event of a fire. Where possible, there should be only one fastening. Any device that impedes people making good their escape, either by being unnecessarily complicated to manipulate or not being readily openable will not be acceptable. This also applies to any external gates within courtyards where premises are non-domestic or serve two or more dwellings.

5.4 Historic England

5.4.1 In this case, we are not offering advice. This should not be interpreted as comment on the merits of the application.

5.5 Stamford Town Council (comments on original plans)

5.5.1 Strong objection. The proposed courtyard areas are of poor design and not in keeping with the existing grandeur of the building, contrary to SKDC Local Plan Policy DE1 (Promoting Good Quality Design). The opening to Cheyne Lane has always been used as a Public Right of Way and has historical significance. The blocking up of this opening is contrary to SKDC Local Plan Policy EN6 (Historic Environment) and Stamford Neighbourhood Plan Policy 8 (Historic Environment).

6 Representations as a result of publicity

6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 3 letters of representation have been received. The points raised can be summarised as follows:

1. Impact on local business trade as a result of the development and resultant construction works
2. Public right of way being blocked by closing the opening in Cheyne Lane
3. Safety concerns in relation to exit routes for No.17a Evaluation

7 Evaluation

7.1 Impact on the listed building

7.1.1 The Local Planning Authority is required to ensure that special regard to preserving the Listed Buildings and their settings in relation to Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the 'Act'). No harm should be caused with the historical assets and their surroundings requiring to be preserved or enhanced.

7.1.2 Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

7.1.3 Policy EN6 (The Historic Environment) states amongst other criteria that the Council will seek to protect and enhance heritage assets and their settings, in keeping with the policies in the National Planning Policy Framework. Proposals will be expected to take into account the Conservation Area Appraisals, where these have been adopted by the Council. Following comments from the SKDC Conservation Consultant on the original proposal, it was considered that the proposed layout and the proposed dividing walls to be erected within the rear courtyard to the building were not satisfactory and amended plans were submitted. The latest version of plans provided show a less complex and sprawling design

with stone walls and copings with timber gates. SKDC's Conservation Officer confirmed there are now no objections to this scheme as these plans address the previous concerns in terms of appearance and layout. It is considered that this design better respects the layout of this area and now results in minimal intrusion whilst still providing the desired amenity space the proposal relates too.

- 7.1.4 Policy 8 of the adopted Stamford Neighbourhood Plan(The Historic Environment) states development will be supported where it conserves or enhances the significance of designated and non-designated heritage assets and their setting, through high quality and sensitive design, taking into consideration appropriate scale, materials and siting in relation to historic views identified within the Stamford Conservation Area Appraisals.
- 7.1.5 The proposed blocking up of the existing opening in the wall in Cheyne Lane is considered to be acceptable given that the proposal is for the works to be carried out in matching materials and it has been noted that the information provided by the applicant suggests the opening is of 20th Century modern construction and is not of historic significance.
- 7.1.6 The Town Council's and Stamford Civic Society's comments are noted, however it is the view of the Conservation Consultant and the Case Officer that the amended courtyard design addresses any previous issues relating to design and would not harm the significance of the listed buildings.
- 7.1.7 Taking the above into account, it is considered that, by virtue of the design, scale and materials to be used, the proposal would preserve the character and appearance of the listed building in accordance with Policy 8 of the adopted Stamford Neighbourhood Plan, the NPPF Section 16, and Policies DE1 and EN6 of the adopted SKDC Local Plan.

7.2 Public Right Of Way

- 7.2.1 It has been raised in representation that the existing access which is proposed to be blocked up in Cheyne Lane has an established public right of way. This issue has been considered under the accompanying full planning application S22/1865 and is not relevant to the listed building consent application.

7.3 Fire Safety

- 7.3.1 The concerns raised relating to fire safety have been discussed the accompanying full application S22/1865 and is not relevant to the listed building consent application.

8 Crime and Disorder

- 8.1 It is considered that the proposal would not result in any significant crime and disorder implications.

9 Human Rights Implications

9.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

10 Conclusion

10.1 It is considered that the proposal would not result in harm to the significance of the listed buildings.

10.2 Therefore, taking the above into account, it is considered that the proposal would be appropriate for its context and would be in accordance with Stamford Neighbourhood Plan Policy 8, NPPF Section 16 and Policies DE1 and EN6 of the South Kesteven Local Plan.

11 RECOMMENDATION: To authorise the Assistant Director of Growth to approve the application subject to the following conditions.

12 Conditions

Time Limit for Commencement

- 1) The development hereby consented shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2) The development hereby consented shall be carried out in accordance with the following list of approved plans:
 - i. Proposed Plan re. SE-1425-1000C received 23 February 2023

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the Development is Commenced

- 3) Before the works hereby consented are commenced, a method statement for the blocking up of the opening in Cheyne Lane shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the satisfactory preservation the wall in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

- 4) Before any of the works on the external elevations for the building(s) hereby consented are begun, details (samples upon request) of the materials (including

colour of any render, paintwork or colourwash) to be used in the construction of the external surfaces shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policies DE1 and EN6 of the adopted South Kesteven Local Plan.

Before the Development is Occupied

- 5) Before the courtyard is brought into use, the blocking up of the opening in Cheyne Lane shall have been completed in accordance with the approved method statement.

Reason: To ensure the satisfactory preservation of the wall building and in accordance with Policy EN6 of the adopted South Kesteven Local Plan.

- 6) Before any part of the development hereby consented is brought into use, the external surfaces shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

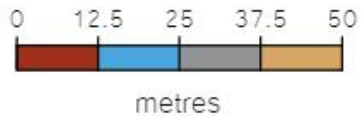
Standard Note(s) to Applicant:

- 1) In reaching the decision, the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with Paragraph 38 of the National Planning Policy Framework (2021).



Location Plan

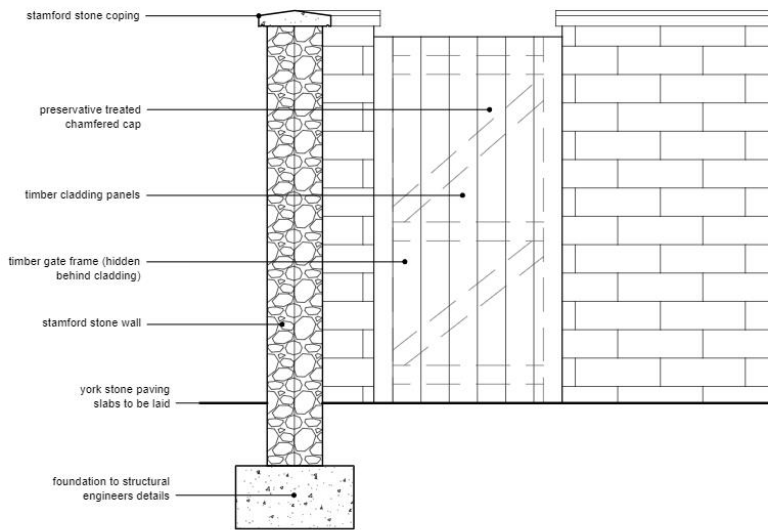
Scale: 1:1250



St Marys Street



Courtyard Floor Plan
Scale: 1:200
0 2 4 6 8
metres



GATE TIMBER
 American White Oak timber. Planed finish to gate cladding.
 Treat with 2 coats of clear matt 701 Osmo Natural Oil
 Woodstain as manufacturers recommendations.

NB: On-going treatment of gates will be required. Timber is a natural product and will shrink, swell and change overtime.



Proposed stamford masonry coping stones to be used



Proposed stamford stone walling

01 - Timber Gate Elevation and Wall Detail

Scale: 1:20