



Appeal Decision

Site visit made on 16 February 2026

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 March 2026

Appeal Ref: APP/Z2505/C/25/3359676

Land and buildings at, 1 Main Ridge West, Boston PE21 6QQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
- The appeal is made by Dr Rami Youssif against an enforcement notice issued by Boston Borough Council.
- The notice was issued on 2 January 2025.
- The breach of planning control as alleged in the notice is:
Without planning permission, the erection of a side extension; the erection of side gates (attached to 5 Pump Square); the application of external render (painted); the installation of canopies above front windows and the installation of lights on front wall.
- The requirements of the notice are to:
 - (i) Remove the side extension and reinstate the side wall with bricks to match the original materials.
 - (ii) Remove the canopies and all fixings from the front elevation.
 - (iii) Remove the light fittings and fixings attached to the front elevation.
 - (iv) Remove the plastic sheeting attached to the side gates.
 - (v) Remove the render application and reinstate the original bricks.
- The periods for compliance with the requirements are:
Step (i) & (v) – 3 months from the date this notice takes effect.
Step (ii), (iii) & (iv) – 1 month from the date this notice takes effect.
- The appeal is proceeding on the ground set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.

Summary of decision: The appeal succeeds in part and permission for that part is granted, but otherwise the appeal fails, and the enforcement notice is upheld in the terms set out in the Formal Decision.

Preliminary Matters

1. The land is close to listed buildings and is within the Boston Conservation Area. Therefore, in accordance with section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving such buildings or their settings or any features of special architectural or historic interest which they possess. I have also paid special attention to the desirability of preserving or enhancing the character or appearance of the CA in accordance with Section 72(1).

The Appeal on Ground (a) and the Deemed Planning Application

2. Appeals on ground (a) are made on the basis that planning permission should be granted for the development alleged in the notice.

Main Issue

3. The main issue is the effect of the proposed development on the character or appearance of the Boston Conservation Area (CA) and on the setting of nearby listed buildings.

Reasons

4. The CA is centred around the historic core of the Market Place and encompasses the surviving medieval plan and the surrounding 18th and 19th century expansion into a major market town. The significance of the CA is, in part, derived from the retention of its ancient town plan and from the large number of surviving Georgian and Victorian buildings. It contains many listed buildings, including several that are Grade II listed and lie close to the appeal site, as identified below.
5. The Freemasons' Hall is located on Main Ridge West, separated from the appeal site by an intervening building. It was constructed in the Egyptian Revival style in 1860-3, in gault brick and ashlar. Its significance and special interest is derived from its associative and historic value as a Masonic Hall, as well as from its aesthetic value arising from its unusual and attractive design.
6. 2 and 4 Main Ridge are located diagonally opposite to the appeal site and were built in the early 19th century in red brick, with a hipped slate roof. 6 Main Ridge is listed for its group value with 2 and 4, to which it is attached. It was built in the early 19th century, of red brick with a pantile roof. 12 and 14 Main Ridge, also diagonally opposite to the appeal site, is an early 19th century building, of red/brown brick with a pantile roof.
7. The rear elevation of the late 18th century 5 and 6 Pump Square face towards the side elevation of the appeal site. It is built of red brick with a hipped pantile roof. 3 and 4 Pump Square on the opposing street corner to 2 and 4 Main Ridge and 5 and 6 Pump Street is from the early 18th century and is also constructed of red/brown brick with a pantile roof.
8. From the evidence before me, the special interest and significance of 2 to 6, 12 and 14 Main Ridge, and 3 to 6 Pump Street, is derived from their architectural and historic interests. Their setting comprises the surrounding streetscape, which includes the appeal site. They make a strong and positive contribution to the character and appearance of the CA.
9. The unlisted appeal property is closely positioned relative to the identified listed buildings. It is modestly scaled, single storey with a hipped roof, and of a simple design with a central door flanked by two wide bow windows all of which are topped by a pediment.
10. The extension is fully glazed on its front and side elevations, with a glazed shallow pitched roof. It appears as a simple, light-weight structure that is legible as a modern phase of the appeal building's evolution. Nonetheless, the extension is a substantial addition in comparison to the scale of the original property. Furthermore, due to the large expanse of glazing, it has a markedly different solid to void ratio to that found in the surrounding buildings including the one to which it is attached. Therefore, it is seen as a prominent structure within the streetscape that is at odds with the appearance of the appeal building and the listed buildings nearby.

11. On my visit I did not see any canopies along Main Ridge West or in Pump Square, and noted that such features are not common within the wider CA. The canopies on the appeal premises, whilst only projecting a short distance from the front elevation, occupy a sizeable proportion of the wall above the windows and obscure the window pediments. Due to their size and dark colour, they appear as dominant additions to the frontage and, in my view, are out of keeping with the uncomplicated appearance of the building. For these reasons they are harmful to its character and appearance and appear as discordant features in the CA.
12. Two gold-coloured metallic light strips have been applied vertically to the front elevation of the appeal building. Although they are modest in size, their obviously modern design and non-traditional placement, results in the lights appearing as incongruous features on the building and within the CA.
13. The appellant does not claim that the requirements of the Enforcement Notice set out at steps (iv) and (v), namely the removal of the plastic sheeting on the side gates and the removal of the render and reinstatement of the original bricks, should be granted planning permission. There is nothing before me that would lead me to disagree in respect of the plastic sheeting. However, I note that the Council is no longer suggesting that the render should be removed as it considers that it would very likely cause damage to the masonry.
14. On my visit I observed the use of render on other buildings in the CA, including The Old Chapel on Pump Square and the unlisted property adjoining the appeal site. Therefore, the use of render does not, in my view, appear out of keeping to the extent that it is harmful to the appearance of the appeal building, the CA or the setting of the identified listed buildings. Its coral colour is, however, highly incongruent, and harmfully contrasts with the cream/off white render that is prevalent in the CA. Nevertheless, this could be addressed if the render is painted a heritage cream colour which could be secured by a planning condition.
15. For the foregoing reasons, the extension, canopies and lighting, both individually and cumulatively, harm the character and appearance of the CA. Additionally, for the same reasons, they distract from the listed buildings to the extent that they adversely affect the way that they are experienced, and, thus, undermine their significance.
16. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that great weight should be given to the conservation of designated heritage assets (and the more important the asset, the greater the weight should be). With reference to paragraph 214 of the Framework, in finding harm to the significance of a designated heritage asset, the magnitude of that harm should be assessed. In this instance, the harm would be at the lower end of 'less than substantial', but is nonetheless of considerable importance and weight. Under such circumstances, paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.
17. The extension provides additional floor space that supports the continued viability of the commercial use of the appeal property, which, in turn, contributes to the vitality and viability of the Town Centre. Nevertheless, it is reasonable to consider that this could be achieved through an extension of a more appropriate scale and appearance. This tempers the weight that I attach to the benefits derived from the extension.

18. The appellant suggests that the canopies aid the long-term upkeep of the building by providing protection and shelter. However, no compelling evidence has been presented to show that the absence of canopies would result in building damage or would materially increase the costs of its maintenance. Therefore, even if I were to agree that these amount to public benefits, they accrue limited weight. No public benefits have been presented by the appellant in respect of the lighting, and I know of none.
19. Accordingly, the public benefits are not sufficient to outweigh the identified harm to the character and appearance of the CA and the setting of listed buildings.
20. I therefore find that the extension, canopies and strip lights, harm the character and appearance of the CA and the setting of the nearby Grade II listed buildings. Such development is consequently contrary to policies 2, 3, 25 and 29 of the South East Lincolnshire Local Plan, adopted March 2019, which, amongst other things, requires that development considers heritage assets and conserves the historic environment. It is also contrary to the similar aims of the Framework.

Conclusion

21. For the reasons given above, I conclude that the appeal should succeed in part only, and I will grant planning permission for the render, but otherwise I will uphold the notice and refuse to grant planning permission in respect of the other part of the matters. The requirements of the notice will cease to have effect so far as inconsistent with the planning permission which I will grant by virtue of section 180 of the 1990 Act (as amended).

Formal Decision

22. The appeal is allowed insofar as it relates to the application of external render at 1 Main Ridge West, Boston PE21 6QQ. Planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended) for the application of external render at land and buildings at, 1 Main Ridge West, Boston PE21 6QQ subject to the following conditions:
 - 1) Unless the rendered surface of the building has been painted in heritage cream B/24/0201 within three months of the date of this decision, the render application shall be removed and the original brick shall be reinstated within six months of the date of this decision.
23. The appeal is dismissed and the enforcement notice is upheld insofar as it relates to the erection of a side extension, plastic sheeting attached to the side gates, the installation of canopies above front windows and the installation of lights on front wall and planning permission is refused in respect of the erection of a side extension, plastic sheeting attached to the side gates, the installation of canopies above front windows and the installation of lights on front wall at land and buildings at, 1 Main Ridge West, Boston PE21 6QQ on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Elaine Moulton

INSPECTOR