

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H02-0553-21 **Applicant:** Mr N Reilly
Proposal: Rebuild garden wall
Location: Shop And Premises 14 West Street Crowland
Terminal Date: 9th August 2021

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
03 Design of New Development
29 The Historic Environment

National Guidance

National Planning Policy Framework 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Planning application is for the rebuilding of the garden wall to Shop and Premises, 14 West Street, Crowland.

The original wall came down as a result of poor weather. The original design was a plain curtain

wall design, whereas the new proposed design includes columns with stone sphere caps and iron railings between columns.

Site Description

14 West Street is a former commercial property which sits within a prominent portion of the Conservation Area for Crowland and is listed to a grade II level. Historic England describes the property as follows;

"Shop with accommodation above and house, and access to outbuildings to rear possibly a tannery. c.1820, C20. Red brick. Concrete tiled roof with C20 tile coped left gable; single ridge and gable stacks. 2 storeys, 5 bays. Carriage archway to left, giving access to outbuildings, to rear, with basket arch and double plank door. Doorway to right with a semi- circular head, blind traceried fanlight and panelled reveal and door. Glazing bar casement to right with similar doorway beyond, except that it has a glazed, traceried fanlight. Glazing bar casement to right with 3 similar windows above. All the windows with flush wedge lintels."

The wall, although not mentioned in the above listing, appears to be original to the property.

The area in general is characterised by a mix of commercial and residential development, ranging mostly from the early C19th forward into the latter part of the C20th and varying in style.

History

H02-0750-17

Repair structure of building including alteration and repair to main dwelling, including first floor extension and some demolition works. Approved on 18-09-17

H02-0751-17

Repair structure of building including alteration and repair to main dwelling, including first floor extension and some demolition works. Approved on 18-09-17

H02-1123-17

Details of external materials and archaeological details (Conditions 4 & 5 of H02-0751-17). Approved on 30-11-17

H02-1122-17

Details of external materials and archaeological details (Conditions 3 & 5 of H02-0750-17). Approved on 30-11-17

H02-0694-18

Details submitted relating to Conditions 3, 4, 5, 6 and 7 of H02-0751-17. Approved on 23-08-18.

H02-0693-18

Details submitted relating to Conditions 3, 4, 5, 6 and 7 of H02-0750-17. Approved on 23-08-18.

H02-0692-18

Repair structure of building including alteration and repair to main dwelling, including first floor extension and some demolition works - approved under H02-0751-17 - Amendment to section of wall to rebuilt over car port (due to collapse), door and window to rear of property to be swapped around, plus stair access to Room 6. Approved on 29-08-18.

H02-0691-18

Repair structure of building including alteration and repair to main dwelling, including first floor extension and some demolition works - approved under H02-0750-17 - Amendment to section of wall to be rebuilt over car port (due to collapse), door and window to rear of property to be swapped

around, plus stair access to Room 6. Approved on 07-08-18.

Consultation Responses

North Level Internal Drainage Board

No comment.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of any heritage asset. Whilst the new wall is visually distinct from the old, its design is not alien to the site or surroundings and is still period-appropriate for the Listed property. It is also proposed that the wall will be made using reclaimed brick, stone caps and iron railings - all vernacular and traditional materials. The historic wall was destroyed in a harsh weather event and its remains have caused an unsightly ruin in this central, historic location and a catastrophic loss of any privacy for the residents of 14 West street.

By restoring a historic built form on the site of a Listed building and within a conservation area, this application must be considered to help to enhance the Historic Environment in line with section 16 of the National Planning Policy Framework (2021)

Planning Balance

Whilst the proposed design is not like for like to the original wall, it remains an era-appropriate form and will use matching and reclaimed materials wherever possible, making it an appropriate form of development on this site.

Conclusion

For the reasons listed above, this application is found to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2021). Therefore, this application is recommended for approval.

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.