DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H02-0603-20**	**Applicant:**	**Mr C Brand**
Proposal:	Replace wooden windows and door with upvc windows and door (retrospective)		
Location:	31 West Street Crowland Spalding		
Terminal Date:	23rd December 2020		

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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the retrospective replacement of timber windows and door with bespoke UPVC, double glazed units. The windows affected by this proposal are both of the frontage Bay windows as well as the 3 front, 1st floor windows and the front door. The applicant proposes

that these new windows and door are like for like in style, however, in reality these new windows offer a much more 'smooth' appearance and the differences in Mullion and Transom widths are quite apparent. Furthermore, the bay windows featured distinctive stained glass panels which have not been replaced or replicated in any way. The new front door is almost entirely different to the original, which was a 6 section mullion and panel door with the 2 highest panels containing small glazed sections. The New door is only 2 section mullion and panel with 2 large inset windows, has removed the stained glass from the mullion window and is constructed in UPVC.

Site Description

The proposal site is within the Crowland Conservation Area (CCA) and is in a prominent street frontage location along West Street which forms one of the primary routes within the CCA. Furthermore, the proposal site sits adjacent to the Grade II listed 33-35 West Street, which remains a fine example of vernacular cottage architecture within an urban setting.

The host property itself is a Victorian property and whilst not listed is subject to an Article 4 directive and has been recorded by the County Council Historic Environment Record as a building of historic architectural interest, and is considered to be locally listed as a 'Building of Local Heritage' by South Holland District Council. The County Council's HER describes the property like so:

"Large two storey yellow bricked house in Flemish bond with slate roof. It has two large bay windows to the ground floor with a central doorway with decorative architrave. The bay windows probably date to the Victorian or early part of the twentieth century, replacing, most likely, eight pane sliding sash windows. There are three windows to the first floor, symmetrically placed above the windows and door. The windows have rubbed brick splay headed arches which are slightly narrower than the current windows indicating that the window apertures have been widened to fit a larger window. The windows have stone cills. The roof has slightly raised gable ridges and two chimney stacks, the southern most chimney looks like it has been removed and a small stack has been left for decoration or symmetry. End pilasters with a three course eaves band flush with the pilasters producing a frame like effect.
This building is a good example of this style of building of this period and survives with only a few changes to its original construction." (Lincolnshire HER, available at: https://www.heritagegateway.org.uk/Gateway/Results_Single.aspx?uid=MLI91787&resourceID=1006).

History

None relevant.

Consultation Responses

Lincolnshire County Council Historic Environment Record

The HER have identified this structure as being of local and architectural interest. The included heritage impact assessment is not sufficient as it does not meet the minimum standards of the National Planning Policy Framework (paragraph 189) or the South East Lincolnshire Local Plan (Policy 29, point 'F' on information in development proposals). The historic environment record has not been consulted and the significance of the building has not been described, and there is no assessment of how the proposal (retrospective) may affect this significance.

Furthermore, the included HIA does not at all mention the stained glass which has been lost at all.

Recommends that prior to any approval a new, more detailed Heritage Impact Assessment be written. The applicant should refer to Historic England Guidance in preparation of this Assessment.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider this planning application to present any risk to the value or significance of the heritage asset.

Whilst the proposed windows are UPVC in style, the frame type does closely match that of the windows it seeks to replace in terms of format and layout, as well as colour. Whilst the loss of

stained glass is undoubtedly regrettable, the stained glass panels appear to be a later addition to the property, being of a mid-C20th pattern, and are not highlighted in the recordings of the building as being of particular value to the site. Indeed, the windows are mentioned as being of note, but not the frames specifically, simply their order and and fact that the front bays are later Victorian additions which replaced box section sliding sashes. This proposal retains the original form of the bay windows and therefore does not impact upon the value of the recognised elements of this non-designated asset.

The introduction of these windows has not materially impacted upon the broader way in which this heritage asset is appreciated from the public realm, and as such, this application can be deemed to have a negligible impact upon any heritage assets and therefore, by virtue of its lack of an impact, can be considered to assist in conserving the historic environment in accordance with Sections 16 of the National Planning Policy Framework (2021).

Although the Heritage Impact assessment is lacking in detail and accuracy, as this site is a recognised non-designated heritage asset, much of the assessment of significance has already been carried out and was sufficient for the officer to make an assessment of impact, above.

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.