

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H02-0717-26	Applicant:	Mr M S Malak
Proposal:	Window Alterations		
Location:	9 South Street Crowland		
Terminal Date:	6th October 2026		

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance**National Planning Policy Framework August 2026**

Section 2 - Plan-making policies (PM1 - 17)
Section 3 - Decision-making policies (DM1 - 10)
Section 4 - Achieving sustainable development (S1 - S6)
Section 14 - Achieving well-designed places (DP1 - 4)
Section 20 - Conserving and enhancing the historic environment (HE1 - 10)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	0	1
SHDC INTERNAL	1	0	0	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Description of Proposal

The application seeks full planning permission for window alterations, including the replacement of the existing timber sash windows at the ground floor and first floor levels of the building with uPVC sash windows. This includes 7 windows within the building within the site, as shown on the submitted elevation plan (003).

Site Description

The site comprises land at 9 South Street in Crowland which includes a 3-storey building that is located within Crowland Conservation Area. The building is considered to comprise a non-designated heritage asset.

The site is within the settlement boundary of Crowland, as identified by Policy 1 in the South East Lincolnshire Local Plan (2019) and the accompanying policies map.

Relevant Planning History

H02-0346-86: Alterations to create 5 flats and enlargement of shopping area - approved 16th September 1986

H02-1651-88: (Full Application) Convert Dwelling into Ground Floor Shop & First' Floor Flat - approved 31st January 1989

H02-1480-04: (Full Application) Change of use from A1 to A2 (proposed Estate Agents) - approved 17th December 2004

H02-0970-05: (Advertisement) Erection of non-illuminated signage - approved 05th September 2005

Consultation Responses

Responses have been received from the below referenced consultees. The responses are summarised below; however, the responses can be viewed in their entirety on the South Holland website.

Lincolnshire County Council - Historic Environment:

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

As the proposal involves external works to 9 South Street, a non-designated heritage asset (NDHA) recorded on the HER (MLI91656) and located within the Crowland Conservation Area (DLI10597), the SHDC Conservation Officer should be consulted prior to determination regarding the potential direct impacts on the non-designated heritage asset and any potential indirect impacts on its setting and on the character and appearance of the Conservation Area.

Lincolnshire County Council - Highways and SUDS:

The proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.

North Level Internal Drainage Board:

No comments.

Ecology Officer:

We have reviewed the proposals and have no ecological concerns to raise at this time; therefore, we have no objections.

Conservation Officer:

I wish to raise my objections to this application. Part II, section 69, paras 1(a) & 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 confirms that one of the key purposes of conservation areas is to designate areas that should, via the planning process, be 'preserved or enhanced'. This should be taken to mean that aspects of development in the conservation area that contribute to its character should be preserved and where opportunities arise to enhance the setting these should also be viewed favourably.

This is borne out in the wording of the Policy 29 of the Local Plan and Policy HE6 of the NPPF.

The above reaffirms that the function of the local planning authority, when determining applications within the setting of a Designated Heritage Asset (in this case the Crowland Conservation Area), is to facilitate the conservation or enhancement of that setting.

This application neither conserves, nor enhances the conservation area. The existing windows on the ground and first floor of the application site are of a high visual quality, distinctive in their offset 3 over 3 design and well suited to their setting. In other words, they are an architectural detail that contributes to the character and appearance of the area.

In contrast, the proposed UPVC windows on a basic level do not preserve the area's distinctiveness as relates to materials. Moreover, the application does not include sufficient detail to make a positive determination, and there is inconsistencies in the provided documents. For instance, the proposed elevations indicate a like-for-like design (as much as is possible) but the provided sample image shows a 6 over 6 sash instead of the offset 3 over 3, and moreover, both sets of elevation drawings are missing key details such as horn profile, weld positions and orientations etc and are very basic box drawings lacking any reflection of the exact reality on site.

What details we can confirm of the proposed windows from the sectional drawings are not satisfactory either. Astragal bars to replace genuine full bars and full depth double glazing instead of conservation style double glazing which is widely available on the market.

In effect, the details of the proposal are not satisfactory to make a positive determination. The application is lacking full details, and what details can be gleaned from the application suggest an inferior window in design and material, representing a step backwards in material authenticity and appearance with stick on bars and the corresponding introduction of double reflections resulting from a move from single glazing to full depth domestic double glazing.

Other details, not yet confirmed by the proposed plans such as frame design, the aforementioned horn and weld details in addition to other aspects like method of fitting, depth in the reveals, frame colour (given the existing are a distinctive cream colour rather than standard white) and more cannot be properly assessed and could well be unacceptable too.

What we can determine is that various parts of the detail thus far submitted suggests a proposal that fails to preserve/conserves an attractive architectural feature and therefore would also fail to enhance the setting. In this, a categorisation of harm must therefore take place and in this instance, I would suggest that the proposed works do lead to harm to the historic environment and the conservation area.

The applicant has attempted to justify this proposal by pointing to the existence of UPVC elsewhere in the immediate vicinity. This argument holds no weight as each application must be considered of its own merits, and much of the UPVC in the area, including that present on the host property has never been granted formal consent (in most instances due to permitted development rights of independent dwellinghouses, whereas no such rights exist for flats or commercial properties). In the very few instances of UPVC being permitted within the Conservation Area upon existing historic properties, it is essentially unique to properties where the existing windows were of no particular aesthetic value, unlike in this case. It is therefore not the case that a precedent has been

established and neither is it the case that the existence of other poor features within the conservation area justifies further proliferation being formalised via the planning process.

Moreover, I take fundamental issues with the quality of the submitted Heritage Impact assessment and several of the statements made within. For example, to state that the building has no 'architectural detailing' is demonstrably false.

First of all, the included HIA states of the host property; "The application site makes a negligible contribution to the architectural and historic significance of Crowland Conservation on Area and is not considered to possess architectural detailing, craftsmanship or evidential value that would qualify it as a positive contributor to the character or appearance of the area." This is a patently false statement that would be evident to any professional who even looked at photos of the property. The property includes a highly ornate, timber shopfront a similarly ornate pilaster and pedimented porch, a curved fascia and window reveals, and of course, the existing visually attractive windows are all attractive, positive features within the CA, showing obvious signs of skilled craftsmanship, in addition to the basic positive aspects such as the retention of natural materials like the original formal slate roof etc. To state that the building has no 'architectural detailing' is demonstrably false. Moreover, the remaining sign on the 2nd floor at the curved window reveal reading "THE WHITE HOUSE" contains immense evidential value as an indicator of the history of this site, and indeed, in itself holds a substantial amount of aesthetic value to the conservation area. In fact, as a result of the above architectural qualities, it is reasonable for the LPA to consider this site to be a Non Designated Heritage Asset (NDHA) and therefore, this proposal site should be considered to be subject to all of the additional controls that result from that, which shall shortly be discussed.

For the above-discussed reasons, I also entirely disagree with further suggestions within the HIA that this proposal would be a visual improvement to the conservation area. In summary, should the officer be minded to approve, a far more accurate and thorough heritage impact assessment shall be required, in line with the requirements of Section 20, HE5(1) of the NPPF.

As mentioned above in this comment, harm is identified as a result of this proposal. Moreover, the reasons why the attempts to justify the proposal are not considered satisfactory have been outlined. To exercise an assessment of the proposal outside of the applicant's own statements, it is reasonable to assume that the applicant supposes that an increase in energy efficiency would be a benefit of the scheme. This can be a public benefit in some instances. Albeit in this case, I am not satisfied that this outweighs the harm to the NDHA or the Conservation Area, largely as all benefits would be to the private owner of the property, but also because no attempt has been made to explain why energy efficiency measures cannot be implemented without the replacement of historic, traditional and aesthetically pleasing windows with inferior alternatives.

In summary, the proposal lacks essential detail for a positive decision, and the details we do have to hand are enough for me to conclude that the proposal fails to satisfy Section 69 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, Policy 29 of the SELLP and Section 20 of the NPPF. I therefore recommend that this application be refused.

Crowland Parish Council:

CPC would prefer, in keeping with the historical aspect of the building and object to the proposal and support the comments from the Conservation Officer.

Cllr B Alcock: No response received.

Cllr J R Astill: No response received.

Cllr A Harrison: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no representations have been received from members of the public.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, August 2026 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

- Impact on Heritage Assets and the Character and Appearance of the Area; and
- Biodiversity Net Gain.

These matters are assessed in turn below.

Impact on Heritage Assets and the Character and Appearance of the Area

In respect of any buildings or other land in a conservation area, special attention must be paid to the desirability of preserving or enhancing the character or appearance of that area, through Section 72 the Planning (Listed Buildings and Conservation Areas) Act 1990.

Policy DP3 (Key principles for well-designed places) of the NPPF states that development proposals should respond to their context (the history, character and features of their site and its setting), so that they integrate with and enhance their surroundings; such as through the arrangement of development plots and buildings, the use of materials and architectural features, and the restoration, reuse and integration of heritage assets.

Section 20 of the NPPF contains guidance as to how local planning authorities should assess proposals that could affect designated and non-designated heritage. For example, Policy HE5 (Assessing effects on heritage assets) requires proposals affecting heritage assets to be accompanied by an assessment of the significance of the assets affected.

Policy HE6 (Proposals affecting designated heritage assets) of the NPPF sets out that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential effect amounts to a positive effect, harm, substantial harm, or total loss of its significance.

Policy 2 of the Local Plan outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 of the Local Plan requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

Policy 29 of the Local Plan (Part B) sets out proposals within a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting.

The proposal seeks to replace the existing timber sash windows at the ground floor and first floor levels of the building with uPVC sash windows. This includes 7 windows within the building within the site, as shown on the submitted elevation plan (003).

The site is located within Crowland Conservation Area and although there are no listed buildings located on or next to the site; however, as set out previously the building is considered to comprise

a non-designated heritage asset.

Firstly, the conservation officer has set out concerns with the quality of the Heritage Impact Assessment. For example, the suggestion that the existing building has no architectural detailing is considered to be incorrect. The lack of an accurate assessment is considered to be contrary to the requirements of Policy HE5 of the NPPF.

As set out previously, the council's conservation officer considers that the existing windows on the ground and first floor of the application site are of high visual quality and are distinctive in their offset 3 over 3 design. The existing windows comprise an architectural detail that is well suited to the setting of the site and the windows contribute positively to the character and appearance of the Conservation Area.

Generally, there is a need to maintain appropriate window materials and construction details in heritage settings. In many cases, UPVC is not an appropriate material due to visible differences such as in frame thickness and overall construction, difficulty in replicating glazing bars and reproducing moulding details. Over time and cumulatively, changing timber windows to UPVC windows can harm the character and appearance of a Conservation Area or the setting of listed buildings. Notwithstanding this, it is important to consider the age and character of each building and to individually assess the windows that are proposed to be replaced.

In this case there are inconsistencies within the submitted documents and as such, the precise appearance and details of the replacement windows are unclear. For example, the proposed elevations indicate a like-for-like design; however, the provided sample image shows a 6 over 6 sash instead of the offset 3 over 3. Furthermore, the elevation plans are missing key details such as horn profile, weld positions and orientations.

The conservation officer also considers that the sectional drawings suggest that the replacement windows would not be suitable. For example, it appears that astragal bars are proposed to replace genuine full bars, and full depth double glazing is proposed instead of conservation style double glazing which is widely available on the market.

Although insufficient details have been provided in terms of the replacement windows to enable a positive determination, the details that have been submitted suggest that the replacement windows would be of an inferior design and material. Therefore, it is considered that the proposal would harm the character and appearance of the Conservation Area and the non-designated heritage asset within the site.

Policy HE6 of the NPPF requires substantial weight to be given to the conservation of designated heritage assets. The policy sets out that any harm to a designated heritage asset will be a matter of considerable importance and weight and that the harm should be weighed against any public benefits resulting from the proposal. Similarly, Policy HE7 of the NPPF sets out that where a proposal would harm the significance of a non-designated heritage asset, this should be weighed against the benefits of the proposal and a balanced judgement made.

The applicant has not identified any specific public benefits of the proposal; however, as set out by the conservation officer it is reasonable to assume that the applicant considers that an increase in energy efficiency would be a benefit of the scheme. Whilst this might be given some weight, it is not considered that this outweighs the harm to the NDHA or the Conservation Area in this instance. For example, the applicant has not explained why energy efficiency measures could not be implemented without the replacement of historic, traditional and aesthetically pleasing windows with inferior alternatives.

The proposal fails to achieve the aims of Policy 29 of the Local Plan and Policies HE5, HE6 and HE7 of the NPPF by removing traditional materials from the building and replacing the windows with inferior alternatives. In this case, it is considered that the public benefits would not outweigh the level of harm that has been identified. As such, the proposal conflicts with Policies 2, 3 and 29 of the Local Plan and Policies HE5, HE6 and HE7 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the

mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan, or
- (c) the development is exempt from the biodiversity gain condition.

As such, unless comprising development that is exempt from this mandatory Biodiversity Net Gain (BNG)(10%), a condition would be required, as mandatorily set.

When taking the above into account, the development in this instance the application is exempt from the statutory 10% BNG requirements as the proposal falls under the de minimis exemption.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

As set out previously, insufficient details have been provided for the replacement windows; however, based on the details that have been provided it is considered that the proposal would result in harm to Crowland Conservation Area and the NDHA within the site. The proposed use of UPVC combined with the lack of detail regarding the replacement windows is not considered to be acceptable in this instance. The proposal fails to achieve the aims of Policy 29 of the Local Plan and Policies HE5, HE6 and HE7 of the NPPF by removing traditional materials from the building and replacing the windows with inferior alternatives. The proposal would result in harm to Crowland Conservation Area and the NDHA within the site and this harm would not be outweighed by the public benefits of the proposal.

It is considered that insufficient justification has been provided for the proposed change to UPVC windows and as such, there are insufficient material considerations to weigh in favour of the proposals due to the adverse impact that would arise to the surrounding built heritage environment. As such, the planning balance is against the development.

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.

Conclusion

Taking the above considerations into account, the proposal is considered to be contrary to Policies 2, 3 and 29 of the Local Plan, along with HE5, HE6 and HE7 of the NPPF. There are no significant factors in this case that indicate in favour of the proposal and outweigh the harm that would be caused to Crowland Conservation Area.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under delegated authority.