

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H05-0037-25 **Applicant:** Mr J Holmes

Proposal: Replace existing window with french doors

Location: Battleford Hall Proudfoot Lane Fleet

Terminal Date: 11th March 2025

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
29	The Historic Environment

National Guidance

National Planning Policy Framework December 2024

National Planning Policy Framework (December 2024)

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 11 - Making effective use of land
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

National Guidance

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	1	0
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission to replace a window with French doors at Battleford Hall, Fleet. The window is located on the southern elevation of the building and comprises a white timber window. The proposed French doors will also be constructed from white timber.

Site Description

The application site comprises land at Battleford Hall, Proudfoot Lane, Fleet, PE12 8NL. The site features a detached single storey. The site is located within the settlement limit of Fleet, as identified by the South East Lincolnshire Local Plan 2011-2036 and the accompanying policies map.

The site is within Fleet Conservation Area and is identified as a building of local heritage. An Article 4 direction also applies within the site.

Relevant Planning History

No planning applications have previously been submitted within the site.

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Fleet Parish Council: No objections.

Conservation Officer: Please refer to previous advice relating to this proposal addressed under pre-application case PE-00338-24. The property is a Non-designated heritage asset, recognised as a 'Building of Local Heritage' and registered in the LCC HER under reference MLI97185. Despite this, I hold that the proposed works are not detrimental to the special interest in this building and are commensurate with the level of protection afforded to the property. I therefore wish to raise no objections.

Cllr P S Barnes: 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 letters of representation have been received.

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, December 2024 (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 consideration in this case is whether the proposal is acceptable in terms of its visual impact and its impact on the heritage asset within the site.

Visual and Heritage Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area and should be visually attractive as a result of good architecture and appropriate landscaping.

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

Policy 3 accords with the provisions of Section 12 of the NPPF, in that it 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 sets out that distinctive elements of the historic environment will be conserved and, where appropriate enhanced. Part F of the policy requires proposals which might affect a non-designated heritage asset to be accompanied by an appropriately detailed heritage assessment and for proposals to be suitably mitigated.

The existing dwelling comprises a detached single storey dwelling. The property is not listed, however, it is subject to an Article 4 direction and within Fleet Church End Conservation Area. The building is also identified as a 'Building of Local Heritage' and is therefore a non-designated heritage asset. The dwelling is adjacent to Church of St Mary Magdalen and the Bell Tower, which are Grade I Listed Buildings. The dwelling was a former rectory of the church and they both sit to the north of the site. To the east of the site is The Cottage, which is a Grade II Listed Building and to the northeast is another Grade II Listed Building called Manor House.

The proposed French doors would be constructed from white timber, which is similar to the existing window. The council's conservation officer has no objections to the proposed development and considers that the development would not be detrimental to the special interest in this building.

The visual impact of the proposed development is acceptable. The proposed development would therefore not cause an adverse impact to the character or appearance of the area and would therefore accord with Policies 2 and 3 of the Local Plan and Sections 12 and 16 of the NPPF.

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. The proposed development represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents. The proposed development therefore accords with the Local Plan and the NPPF. In this instance, there are no material considerations that weigh against the proposal and as such, the planning balance is in favour of 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 accord with Policies 1, 2, 3 and 29 of the Local Plan, along with the identified sections contained within the NPPF. There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be approved under Delegated Authority.