DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0813-20**	**Applicant:**	**Mr & Mrs Sweetlove**
Proposal:	Details of window frames (Condition 5 of H05-0015-19)		
Location:	Ivy House Old Main Road Fleet Hargate		
Terminal Date:	19th November 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 2019

Section 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This condition compliance application is to discharge Condition 5 of H05-0015-19 which stated the following:

"*Details of the window frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.*"

The details included propose to discharge the condition using like-for-like replacement aluminium windows.

Site Description

The proposal site is a Grade II listed property, and within the Fleet Hargate Conservation Area (FHCA). The Historic England listing describes the property as such:

"House. Early C19. Red brick. Hipped slate roof with 2 lateral stacks. 2 storeys, 3 bay front with 2 steps leading up to central doorway with modillioned open pediment, fluted Ionic pilasters, dosserets, fanlight, panelled reveal and door. Doorway flanked by single C20 glazing bar sash type aluminium windows, with 3 similar windows above, that over the door with a segmental head, and all with flush wedge lintels."

Aluminium windows are in their own way quite interesting architectural features and window types like 'Crittall' are recognised for their heritage value in their own right and are often quite easily dated to the 1940's - 1950s era when they were quite popular.

The area itself presents as a mix of residential development from differing eras, surrounding the properties are Victorian cottages and a range of mid-late C20th housing

History

H05-0015-19

Proposed alterations. Approved on 05-03-19.

H05-0016-19

Proposed alterations. Approved on 05-03-19.

Consultation Responses

None received.

Planning Considerations

Heritage Impact

The Local Planning Authority do not consider the proposed windows to present any risk of harm to or loss of significance in both the listed building or the associated Conservation Area. This is because the proposed windows are like for like in style to those which they replace and, whilst aluminium rather than timber, this is actually, unusually, authentic to the original style of windows. Due to the fact that the existing windows are in a poor state of repair, this application helps to bring the site back into a good condition in a manner which does not impact upon the historic nature of materials on the site. Therefore, this application is found to help to conserve the Historic Environment in line with Section 16 of the National Planning Policy Framework (2019)

Planning Balance

This application is a condition compliance application and all of the requirements of this condition have been met in the details submitted, therefore, there is no negative weight to this application against which to balance.

Conclusion

This application is found to be in accordance with Policies 1, 2, 3 an 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). 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.