

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H09-0867-21 **Applicant:** Holbeach Parish Council

Proposal: Replace old damaged, single glazed wooden sash windows to rear first floor elevation with upvc double glazed sash windows

Location: Coubro Chambers 11 West End Holbeach

Terminal Date: 25th November 2021

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 2021

Section 2. Achieving sustainable development.
Section 12. Achieving well-designed places.
Section 16. Conserving and enhancing the historic environment.

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Full planning permission is sought to replace existing single glazed wooden sash windows to the rear first floor elevation with uPVC double glazed sash windows. The existing windows are presently in a poor state of repair.

Site Description

The building is located on the southern side of West End and is within Holbeach Conservation Area. Two pairs of semi-detached houses have recently been constructed to the east and a pair of semi-detached cottages are situated to the west (nos. 12A and 15). The latter are grade II listed. A utilitarian concrete clad building is situated to the rear fronting Back Lane.

Recent Planning History

None

Consultation Responses

Holbeach Parish Council

No objections.

Cllr F. Biggadike

Being in the conservation area request comments from the S.H.D.C Conservation Officer that are favourable to the design.

Public

Objection received (summarised):

- This is in the conservation area and the rear of the building is visible from Back Lane. Wish the Council to note the Appeal Decision in respect of the Rose and Crown, Fleet Hargate. The council should be consistent in its approach.

Letter of support received (summarised):

- Sensible progress, global warming, etc;

Planning considerations

The main issue in this case is whether the proposed works would harm the character or appearance of the building and/or Holbeach Conservation Area.

In accordance with Section 38(6) of the Town and Country Planning Act, as amended by the 2004 Act, the determination must be made in accordance with the development plan, unless material considerations indicate otherwise.

The site is inside Holbeach Settlement Limit as defined in the South East Lincolnshire Local Plan (SELLP), 2019. It is also within Holbeach Conservation Area.

Policy 2 of the SELLP) states that sustainable development considerations should be met in relation to such matters as impact on the character and appearance of an area and historical buildings and heritage assets. Policy 3 stipulates that development should complement and enhance designated and non-designated heritage assets.

In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 local planning authorities are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Furthermore, section 66(1) of the same Act requires that special regard must be had to the desirability of preserving the setting of listed buildings.

Policy 29 indicates that proposals should enhance or reinforce the character and appearance of a conservation area and not harm the setting of a heritage asset. Paragraph 199 of the Framework, 2021 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Coubro Chambers is a Building of Local Historic Interest and is classified as a non-designated heritage asset. It is within Holbeach Conservation Area. It was constructed in approximately 1870-80 and is a two-storey building unusually constructed in rubble stone with sandstone dressings on

its front and side elevations in almost an Arts and Crafts style. It has a plain tiled roof with bonnet hips and a central pediment on its front elevation in Dutch gable form, with finial. Its front elevation has a balanced front with central door and is flanked by pairs of three light windows with chamfered timber mullions and transom. The openings on the front elevation have a Tudor arched head with drip mould.

The rear elevation is less ornate and has been constructed in buff brickwork. Contemporary single storey flat roof extensions have been periodically added. However, the windows at first floor level remain fundamentally unaltered and are 2 x 2 timber sliding sash with a red brickwork flat arch. They are open to public view and are clearly visible from Back Lane. It is considered that their replacement with modern uPVC windows would harm the character/appearance of the building Holbeach Conservation Area, as well as the setting of the adjoining cottages to the west, which are grade II listed.

It is noted that the applicant has state that the windows are in a poor state of repair and need replacement. However, such windows can be restored using either a resin based repair system or timber splices.

It is recognised that flat roof extensions at the rear have uPVC windows, along with a detached utilitarian concrete clad building fronting Back Lane. The same applies in respect of late 20th Century terraces on the opposite side of Back Lane. However, they are of contemporary style/appearance and differ from the current proposal.

The proposal is therefore in conflict with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 in this respect.

Planning Balance

Coubro Chambers is a Building of Local Historic Interest and is classified as a non-designated heritage asset. It is within Holbeach Conservation Area and adjoins a pair of cottages to the west, which are grade II listed. The windows at first floor level are traditional 2 x 2 timber sliding sash with a red brickwork flat arch. They are open to public view and are clearly visible from Back Lane. It is considered that their replacement with modern uPVC windows would harm the character/appearance of the building and Holbeach Conservation Area, as well as the setting of the adjoining cottages to the west.

The proposal is therefore in conflict with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and advice within the National Planning Policy Framework, 2021.

Whilst it is recognised that there are factors in favour of the proposal, such as increased thermal insulation, they are outweighed by the harm that the development would cause.

Conclusion

The planning balance is not in favour of the scheme. It is therefore recommended that the application be refused under delegated powers.

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.