DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H09-0990-20**	**Applicant:**	**ARB Commercial Enterprises Ltd.**
Proposal:	Removal of 5 timber windows at first floor level and replace with double glazed timber windows to match existing design		
Location:	21-25 Boston Road South Holbeach Spalding		
Terminal Date:	31st 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 2019

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

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

The proposal is for the replacement of 5 first floor timber windows with like-for-like timber replacement units.

Site Description

The site is a C19th small residential property, set within the Holbeach Conservation Area (HCA). The property itself is unremarkable in its design, being a fairly standard and common example of a C19th terraced property. Whilst the site doesn't contribute in any significant manner to the HCA, it can be considered in the wider historic context of the area and does hold some limited value to the overall character of the area as a somewhat well preserved example of a early 1800s terrace property.

The area immediately surrounding the property can be characterised as being a mix of residential and commercial with a wide range of architectural styles and periods on show.

History

H09-0262-85

Change of use to office and create studio. APPROVED on 05/06/1985

H09-1313-87

Change of use from offices & studio to veterinary' surgery & living accommodation. APPROVED on 19/01/1988

H09-1095-94

Two painted fascia signs with timber side frames. APPROVED on 30/01/1995

H09-1239-01

Part change of use from dwelling to dwelling and veterinary surgery reception. APPROVED on 18/12/2001

H09-0234-20

Change of use from veterinary surgery (D1) to two residential flats. Approved on 30-07-20

Consultation Responses

Cllr Biggadike - Ward Member

Support.

Holbeach Parish Council

Support.

Local Resident

1 letter of support was received from a local resident.

Planning Considerations

Heritage Impact

The proposed windows are exactly like for like in terms of both design and materials and therefore, there cannot be considered to be any negative impact upon the Conservation Area. The proposed windows are period appropriate to the structure and do not appear out of keeping with the property or it's surroundings Therefore, due to the neutral impact, this proposal should be said to conserve the Historic Environment in accordance with Section 16 of the National Planning Policy Framework (2019)

Planning Balance

There are no negative elements of this proposal against which to balance.

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 (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.