

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-1065-21 **Applicant:** Mrs M Plaice
Proposal: Replace two sash windows on front elevation from wooden to white upvc
Location: 19 London Road Long Sutton Spalding
Terminal Date: 19th January 2022

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 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the replacement of two timber sash windows to the front of 19 London Road, Long Sutton with like-for-like style UPVC windows.

Site Description

The site is a small, C19th single storey cottage, rendered in white painted concrete, featuring 3 faux pillars and window detailing. The structure itself is quite unremarkable, however, it does sit within the Conservation Area for Long Sutton (LSCA) and is subject to an Article 4 direction. Within visual

range is the Grade II listed Adderley House.

History

None

Consultation Responses

None received.

Planning Considerations

Heritage Impact

The Local Planning Authority considers there to be no harmful effect upon the heritage asset produced by this application. Whilst the loss of timber windows is always regrettable, the condition and value of the host property in relation to the remainder of the LSCA is such that it is not felt that the inclusion of UPVC at this location would be detrimental to the general character or appearance of this portion of the conservation area. Therefore, due to the lack of material impact upon the qualities of the site, this application can be said to assist in preserving the historic environment in accordance with Section 16 of the National Planning Policy Framework (2021).

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 (2021). 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.