

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0862-23 **Applicant:** Mr D Young
Proposal: Details of window frames (Part Condition 3 of H14-0331-23)
Location: West End Lodge 88 Knight Street Pinchbeck
Terminal Date: 23rd November 2023

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 2023

Sections 12 and 16 of the National Planning Policy Framework (2023)

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

This application is for the discharge of condition 3 of H14-0331-23.

Condition 3 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.

Note: As this property is a listed building, it is expected that any proposed window would be of a high-quality, bespoke, timber construction which matches the existing original window frame style, utilising genuine glazing bars. Although conservation-style double glazing may be considered, single-glazing is the preferred option. Standard double-glazing is not considered to be acceptable for a listed building of this type.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this Listed Building.

This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021."

Site Description

As in host application

History

As in host application

Consultation Responses

None requested.

Planning Considerations

Condition 3 of H14-0331-23 (Heritage Impact

Condition 3 of H14-0331-23 stated the following:

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Note: As this property is a listed building, it is expected that any proposed window would be of a high-quality, bespoke, timber construction which matches the existing original window frame style, utilising genuine glazing bars. Although conservation-style double glazing may be considered, single-glazing is the preferred option. Standard double-glazing is not considered to be acceptable for a listed building of this type.

Reason: To ensure that the Local Planning Authority retains control over these details of the development in the interests of the appearance of the development, and the character and visual amenity of this Listed Building.

This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and national guidance contained in Section 16 of the National Planning Policy Framework, 2021."

The applicant has provided details of the proposed replacement windows, which show that the windows shall be of timber construction utilising conservation-grade double glazing, featuring full glazing bars. In line with the request within the condition, these details are considered to be appropriate and compliant with Policy 29 of the South East Lincolnshire Local Plan (2019).

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan (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.