

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0042-26 **Applicant:** Mr N Richings

Proposal: Works to include replacement windows and doors, repointing, new clay chimney pot and removal of internal wall between kitchen and dining room above counter level only

Location: The Chantry 7 Church Street Spalding

Terminal Date: 10th April 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01 Spatial Strategy
02 Development Management
29 The Historic Environment

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	1	0	0
SPALDING & DISTRICT CIVIC SOCIETY	0	1	0	0
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

This Listed Building Consent application is for works to The Chantry, 7 Church Street, Spalding, inclusive of replacement windows and doors, repointing, a new clay chimney pot, and removal of

internal wall between kitchen and dining room above counter level only.

Site Description

The Chantry is a grade II listed, Georgian originally ecclesiastical building. Historic England describe the property like so:

"Late C18 or early C19. 2 storeys in brick with Welsh slate roof. 3 windows, hung sashes with glazing bars. Wood doorcase with panelled ingoes and reeded half-column pilasters and glazed fanlight. Open pediment. Door of 6 fielded panels. A small modern extension with 1 window above a segmental passage arch joins this building to No 8."

The building forms a part of a group of listed buildings, being an independent unit within a terrace of individually, grade II listed buildings. The site also sits within close visual range of the Grade I Church of St Mary and St Nicholas. The quantity of heritage assets in this locale, and the centrality of Church Street within the Spalding Conservation Area, make this setting perhaps one of the most sensitive and high value in Spalding and the wider SHDC area.

History

H16-0339-23

Reinstatement of Metal Railings. Approved 08-11-23

H16-0338-23

Reinstatement of Metal Railings. Approved 08-11-23

H16-0525-25

Details of side gate (Condition 3 of H16-0338-23). Approved 10-07-25

H16-0528-25

Details of side gate (Condition 3 of H16-0339-23). Approved 10-07-25

Consultation Responses

Cllr Ashby - Local Ward Member

This looks OK to me.

LCC Historic Places Team

It is noted that the applicant has provided an assessment of the archaeological or heritage potential of the site (heritage impact assessment), as outlined in the NPPF (paragraph 207).

The proposed development will comprise: 'Works to include replacement windows and doors, repointing, new clay chimney pot and removal of internal wall between kitchen and dining room above counter level only.'

The submitted Heritage Impact Assessment outlines the significance of the 18c Listed Building Grade II (The Chantry Listed Building II MLI94479) and the impact/loss of the proposal upon the historic fabric.

Recommendation:

We recommend that, if permission is granted, a condition be attached requiring a mitigation strategy to effectively address this site. This will comprise a programme of pre-development mitigation works, including a Level 1 historic building recording of the HIA identified items 1, 5 and 6 (1. Partial removal of the internal wall between the kitchen and dining area; 5. Replacement of Window D with Door; and 6. Relocation of Window), to be undertaken in accordance with Historic England's Understanding Historic Buildings: A Guide to Good Recording Practice (2016).

No below-ground archaeological works are necessary.

This will ensure that any historic fabric subject to adverse impact is appropriately recorded prior to the commencement of development works. This should be secured by South Holland District Council's standard condition AR04 and is in accordance with National Planning Policy Framework paragraphs 207 and 218 and the South East Lincolnshire Local Plan (Policy 29).

Spalding and District Civic Society

No objections.

Historic England

Defers assessment of case to the LPA's conservation specialist planning adviser.

Evaluation

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Heritage Impact

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 require decision makers to have special regard to the desirability of preserving listed buildings or their settings or any features of special architectural or historic interest which they possess as well as the desirability of preserving or enhancing the character or appearance of conservation areas. Any adverse effect on a heritage asset, even if slight or minor, would not preserve the asset or its setting.

Furthermore, the importance of considering the impact of development on the significance of designated heritage assets is expressed in the National Planning Policy Framework (2024) (NPPF). The NPPF advises that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Section 16 of the National Planning Policy Framework (2024) 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 (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Finally, Policy 29 of the South East Lincolnshire Local Plan (2019) (SELLP) confirms that in order to respect South Holland's historical legacy all proposals shall conserve and enhance the character and appearance of designated heritage assets. Additionally, Section A of that policy confirms that proposals that affect the setting of a Listed Building will only be supported where they preserve or better reveal the significance of the Listed Building, and that proposals that seek to alter a listed building shall be granted where the LPA is satisfied that the proposal is in the interest of the building's preservation and does not involve alterations that are prejudicial to the special architectural or historic interest of the Listed Building or its setting.

Taking the above into account, and assigning this site the appropriate assessment of significance,

in this case, extreme weight must be given to the preservation and conservation of the asset. The proposed works include the installation of a new doors, all of which on-plan appear to be of a design much more appropriate than the C20th styles deployed on the rear and southern elevations of the property currently. This will need to be confirmed by means of a condition.

Next, the application seeks consent for the replacement of the window on the very rearmost portion of the rear elevation with double doors. There is a degree of harm identified in the loss of this window, although a quality replacement can help to mitigate the harm, and also it should be noted that the extant window is clearly of a much later addition, forming a part of a later lean-to extension. Still, the window matches the historic type across the remainder of the property and as such, a condition shall be necessary to secure the details of the proposed new doors, ensuring they are matching in quality and style.

Next, the application proposes the repointing of the rear elevation of the property using new lime mortar. Unquestionably a positive maintenance process, incurring no harm. Nevertheless, conditions requiring details of the mortar in a sample panel will be necessary to ensure a good colour match.

Moving to window work, the application includes a request to install a new timber sash window into the northern elevation of the lean to rear extension. Again, there is very minor less than substantial harm identified in the loss of historic - albeit not original - brickwork. Nevertheless, a good quality and design of window can mitigate against this harm and would not appear architecturally out of sorts with the remainder of the property. The applicant also proposes to replace an unlawfully installed UPVC window on the Northern elevation with a timber unit of a traditional style matching those across the remainder of the property. This proposal is unequivocally positive and assists in removing a clearly inappropriate and unlawful feature.

The applicant proposes to lower the level of the easternmost existing window on the South elevation to level with the adjacent window, and replace the extant casement with a matching sash style window. This opening has clearly been altered throughout time, and it would appear upon visual assessment that the opening was originally matching the adjacent. Therefore, no harm is identified and the inclusion of a sash style window replacing the modern casement is a definite improvement. The same can be said for the final aspect of window alterations, which is to reinstate the historic arched window at the eastern end of the southern elevation, and to reinstate the basement window on the eastern elevation. The south elevation shows a brick fill in of a clearly historic ecclesiastical window frame featuring a gothic arch. The applicant proposes to install a new timber framed non-opening window into that historic opening, as well as a traditional sash style window in the basement opening. This specific proposal assists in better revealing the history of the site by re-opening a historic and visually distinct window opening.

Finally, the applicant proposes the removal of the wall between the kitchen and the dining room to counter level, essentially creating an open plan kitchen dining room. There is harm in the loss of the original wall material. However, the wall in question is of little specific value to the asset, and the reduction is relatively minor and in a fashion that will continue to allow readability of the original layout. Nevertheless, justification is provided, and I am satisfied, having visited the site, to accept the applicant's claims of the kitchen being dark and requiring further natural illumination for use as a viable modern utility. Given the minor scale of the harm, this justification would appear proportionate and acceptable.

In summary, the application passes all tests put forward by Poly 29 of the SELLP as well as Sections 12 and 16 of the NPPF and the proposal is considered to be acceptable, with any less than substantial harm being otherwise outweighed.

Other Matters

The Local Planning Authority must consider the impact/harm the proposal has on the significance of the heritage asset as outlined above. It is not the requirement of the Local Planning Authority to assess other matters, such as residential amenity impacts or highway safety within a Listed Building Consent submission or matters that do not relate to the host listed buildings.

The assessment of these other matters and additional elements of a proposal would take place within the Full Planning Permission, should this be required.

Notwithstanding the above, legal acts independent from planning, serve to protect matters outside

planning control. Any legal requirements or independent acts that governs these matters must still be followed and are not superseded by the Local Planning Authority grant of listed building consent.

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.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policy 29 of the SELLP as well as Sections 12 and 16 of the NPPF. The recommendation, therefore, is to approve.