DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0043-22**	**Applicant:**	**Mr K Davey**
Proposal:	Proposed works to front elevation of dwelling		
Location:	82 Westlode Street Spalding		
Terminal Date:	29th March 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
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This application is for the partial rebuilding of the front elevation of 82 Westlode Street, including installation of a replacement UPVC window. The proposed design is exactly like-for-like to the property as it currently stands.

Site Description

82 Westlode Street is a C19th small terraced house, with 2-bay frontage, 3 windows and a single front door, all UPVC. The property is finished in red brick with clay pantiles, the windows have painted stone cills and flat-arch lintels with keystones.

The property is situated in a central and prominent position within the Spalding Conservation Area,

positioned across the road from 2 listed properties (24-25 New Road and 2&4 Pinchbeck Road).

History

None relevant

Consultation Responses

None received.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider that there is any risk presented to the value or significance of the heritage asset, in the form of the local conservation area, by this proposal as it will have no effect upon the conservation area, or its appreciation. The proposed works are fully like-for-like compared to that which they seek to replace, and whilst approving this application does mean formalising UPVC windows in the conservation area, UPVC windows are already present throughout the site and as such it would be unreasonable to refuse permission on these grounds. As a result of these works, the site will appear no different to how it currently appears, with the works being requested as a result of subsidence issues at the property.

By virtue of the lack of an impact, this proposal is deemed to help to conserve the historic environment, in accordance with Section 16 of the National Planning Policy Framework (2021).

Conclusion

For the reasons listed above, this application is deemed 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, it 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.