DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0093-25**	**Applicant:**	**Mrs K Singh**
Proposal:	Reinstatement of three double glazed timber sash windows to side elevation		
Location:	3 Victoria Mews Spalding		
Terminal Date:	6th August 2025		

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 December 2024

Sections 12 and 16 of the National Planning Policy Framework (2024) (NNPF)
The Planning (Listed Buildings and Conservation Areas) Act 1990

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This listed building consent application is for the reinstatement of 3 timber sash windows to the eastern elevation of 3 Victoria Mews, Spalding.

Site Description

Victoria Mews is a grade II listed former police station, situated within the former grounds of the also Grade II listed adjacent sessions house. Historic England describes the property like so:

"1857. 2 storeys in brick with ashlar dressings and rusticated quoins. Hipped Wesh slate roof with centre stacks. 2 windows on 1st floor, flat painted lintels, hung sashes with glazing bars, 3 to ground floor. Side elevation has 4 windows to centre and 2 to projecting ends. 2 doors with flat hoods on brackets. Modern brick section of 1 storey links to Sessions House"

The site is also considered to be a part of a character grouping consisting of the Sessions House and the also adjacent Nos 32 and 33 The Crescent.

The western elevation of the structure has a set of 3 bricked up windows, which records appear to indicate were blocked as a part of the conversion of the site from a functional police station into a small terrace of properties in the late part of the C20th. This application seeks consent to restore these windows into the former openings.

History

None relevant

Spalding & District Civic Society

We welcome this application. Provided the window frame dimensions and materials used match the existing ones we can support this application.

Consultation Responses

Lincolnshire County Council Historic Places Team

No objections

Planning Considerations

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".

As such, the NPPF sets out that where proposals could lead to 'less than substantial harm' to a designated heritage asset, the consideration of such an application must be weighted against the public benefit.

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.

In this instance, the applicant seeks consent for the installation of new timber framed windows into historic, bricked up openings. The restoration of windows into historic openings is fully accepted as a positive influence upon the character of the listed building, as it proposes the restoration of the site to an acknowledged historic condition. The applicant proposes timber framed, sliding sash windows with period-appropriate horns. The applicant does propose double glazing to be utilised in the new frames. It is reasonable to suggest that this could be considered to be a minor form of 'less than substantial harm' as the remainder of the building features single glazing, and double glazing is typically not considered to be wholly appropriate for period listed properties. However, paragraph 82 of the recently issued Historic England guidance 'Adapting Historic Buildings for Energy and Carbon Efficiency' confirms that double glazing can be acceptable as a replacement in such sites where the replaced windows do not contribute to the value of the building. In this specific instance, as there are no existing frames, they cannot be considered to have value to the asset. Therefore, in acceptance of the fact that all other aspects of the proposed windows (timber, authentic sash, no trickle vents, full glazing bars) are fully period appropriate, the presented windows can be deemed to be an acceptable proposition.

For these reasons, the application is deemed to satisfy policy 29 of the SELLP in addition to Section 16 of the NPPF.

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

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 29 of the SELLP, as well as Sections 12 and 16 of the NPPF. The recommendation, therefore is to approve.

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.