

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0250-25 **Applicant:** Mr S Brown

Proposal: Conversion of loft to habitable space, internal alterations, addition of dormer window to west elevation, re-roof & reinstatement of historic windows

Location: Monks House Bourne Road Spalding

Terminal Date: 26th May 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
33	Delivering a More Sustainable Transport Network
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance**National Planning Policy Framework December 2024**

Section 2 - Achieving Sustainable Development.
Section 9 - Promoting sustainable transport
Section 12 - Achieving well-designed places
Section 14- Meeting the Challenge of Climate Change, Flooding, and Coastal Change.
Section 16 - Conserving and enhancing the historic environment

Planning (Listed Buildings and Conservation Areas) Act 1990**Representations:**

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
SPALDING & DISTRICT CIVIC SOCIETY	1	0	0	0
SHDC INTERNAL	0	0	1	0

OTHER STATUTORY BODIES	0	0	0	1
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CASE OFFICER ASSESSMENT

Description of Proposal

This is a householder application for alterations to Monks House, Spalding. These alterations are: the conversion of a loft to habitable space, the creation of a dormer window to facilitate this conversion, the creation of new stairs, the reinstatement of former windows and the retiling of the roof.

The box dormer window would project from the west elevation. It would measure 4279mm (width) with a height and depth of 1450mm.

This box dormer is required to provide sufficient headroom when accessing the new bedroom 4. This is one of two bedrooms that are proposed in the attic. Each bedroom would have its own access, formed via the creation of new wooden stairs in the landing and first floor living/bedroom respectively, and bathroom. To enable this change, two currently bricked up windows are to be reinstated. It should be noted that these windows historically served attic bedrooms, but the attic and windows have been disused since a fire in the 1970s.

Finally, it is proposed that the existing roof tiles are to be replaced with clay peg-tiles, and the existing bitumen roof covering replaced by a new membrane.

A Listed Building Consent accompanies this application, under reference H16-0251-25.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East Lincolnshire Local Plan, 2019. The site is located towards the west of the settlement. Monks House is well obscured from the road by more modern residential developments and a scheme of planting. The dwelling is within relatively large grounds, which, coupled with the historic nature of the building, juxtaposes with the more contemporary character of the wider area.

Monks House is a Grade II* listed building. The Historic England entry reads as follows:

"Early C16 house in ashlar. Said to have been a Grange of the Priory. L plan. Pantiled roof. Main block is of 2 storeys, the gabled end of 3. Ground floor has 2 mullioned and transomed windows of 3 and 5 lights, with moulded stone labels. Small central doorway with 4-centred arch and moulded label. The gable end windows have no transoms and are of 6, 4 and 3 lights. Windows of 3 lights and modern door to gable end to road. 2 early brick stacks, 1 much restored. Moulded string course, and low plinth. Modern glazing in most windows- some have early casements. Interior has 2 good moulded stone fireplaces with 4-centred arches."

Relevant History

H16-0251-25 - Listed Building Consent. Conversion of loft to habitable space, internal alterations, addition of dormer window to west elevation, re-roof & reinstatement of historic windows. Ongoing.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Highway and Lead Local Flood Authority

"The proposal is for the conversion of the loft to a habitable space, internal alterations, addition of dormer window to west elevation, re-roof & reinstatement of historic windows. The house is well away from the public highway and there is plenty of space within the site for parking. The proposal will not have an adverse impact on the public highway or surface water flood risk."

Environmental Protection Officer

No comments regarding land contamination or environmental protection.

Historic Environment Officer

"Thank you for consulting us on this application. The proposed development will comprise 'Conversion of loft to habitable space, internal alterations, addition of dormer window to west elevation, re-roof & reinstatement of historic windows'.

The heritage Impact Assessment accompanying the application identifies the listed building significance as well as the impact of the proposed alterations. Two of the identified impacts have been assessed as neutral and moderated. It also describes its limitations as a detailed archaeological record.

Although the submitted Heritage Impact Assessment, provide relevant information, it is insufficient, and the required information should be presented in accordance with the recommendations outlined below.

A Level 3 Historic Building Record (HBR) should be undertaken by a qualified heritage professional, such as a heritage consultant, buildings archaeologist, or architectural historian, with expertise in recording and analysing historic structures. The work should be carried out by specialists from recognized archaeological units, consultancies, or chartered surveyors with heritage expertise. It is recommended that the appointed professional be a member of a relevant body such as the CIfA (Chartered Institute of field Archaeologists) or IHBC (Institute of Historic Building Conservation).

Recommendation: I recommend that if permission is granted, there be a condition for a mitigation strategy to effectively deal with this site. This will comprise a phased programme of mitigation work including, but not limited to, a level 3 historic building recording of the listed building, in accordance with Historic England's document 'Understanding Historic Buildings: A Guide to Good Recording Practice. (2016).' This will enable the buildings to be recorded prior to conversion, alterations and refurbishment.

This should be secured by South Holland District Council's standard conditions AR01, 02 and 03 and is in accordance with National Planning Policy Framework paragraphs 200 and 211 and the South East Lincolnshire Local Plan (Policy 29). Finally, considering the Listed Building significance and potential impacts to the setting, the SHDC Conservation officer must be consulted before a decision is made. With respect to the attached archaeological conditions, please contact the Historic Places team at Lincolnshire County Council, Lancaster House, 36 Orchard Street, Lincoln, LN1 1XX, 07386 656079, email ruben.lopez@lincolnshire.gov.uk to discuss the requirements and request preparation of a brief for the works. It is recommended the resulting written schemes of investigation are approved by the LCC Historic Environment Officer prior to formal submission to the Local Planning Authority. Fourteen days' notice is required before commencement of any archaeological works"

Spalding and District Civic Society

"Whilst we welcome aspects of this application we do have concerns about the dormer window and support the comments by Historic England about the staircase made in response to the listed building consent application. The heritage impact assessment acknowledges that this causes harm to the significance on the building and that it is "somewhat alien to a building of this period" We agree. Monks House is of important historic significance. The applicant states that the lack of bedroom space is the main motivation for the loft conversion, yet the design incorporates gym and office space on the ground floor which results in living space being incorporated into the first floor. Could not the layout be reconfigured in some way that might reduce the requirement to convert all of the loft space for bedroom space? The proposed dormer window seems to serve no other purpose than to provide light onto the landing area. Could alternatives be considered such as a heritage conservation window or sun tunnel windows that would reduce the visual impact of the proposed loft conversion? Paragraph 5.6 of the Heritage Impact Assessment is headed

ALTERATION 4: NEW DORMER WINDOW IN EAST-FACING ROOF SLOPE. However, the text and proposed elevation images suggest that the proposed dormer window is on the west facing slope of the building. We are concerned that the proposed dormer window is too large and would clearly be visible from both the North and South Facing elevations. As such we consider that it contravenes policy 29 of the South East Local Plan at A1. It is an alteration that does prejudice the architectural interest of the building. The proposal also contravenes paragraph 213 of the National Planning Policy Framework that requires justification for harm to the significance of a designated heritage asset from it's alteration to be exceptional. We do not consider that the justification for the proposed dormer window to be exceptional in this case. The applicant has not indicated how the dormer window might be constructed and of what materials the dormer might be constructed. Without this information and for the reasons stated above, we cannot support the application as it stands, and ask that you note our objection to this application. "

Historic England

The following comment was received on H16-0251-25, which is the listed building consent application accompanying this full planning application. The comments here are applicable to both applications, and are therefore noted here also

"Historic England have no objection to the conversion of the roof space to form further accommodation in principle. However, we do have concerns with the proposed dormer window and the insufficient information provided within the application."

"It is recommended that the proposed dormer is omitted from proposals. We acknowledge that the dormer is required to facilitate a staircase in this location. If the staircase cannot be achieved without the dormer, we recommend that the staircase is also omitted. We encourage the consideration of other options instead of the staircase such as interconnecting the loft spaces if possible, alternative staircase locations, opening up just one part of the loft, or reconfiguring the layout at ground / first floors to allow for the desired further bedroom accommodation there instead of in the loft. It is also recommended that further detail is provided about works to install the new staircase(es), the ground floor window replacement, and the associated impacts on historic fabric"

Society for the Protection of Ancient Buildings

The following comment was received on H16-0251-25, which is the listed building consent application accompanying this full planning application. The comments here are applicable to both applications, and are therefore noted here also

"While we do not object to the conversion of the attic space in principle, we have several concerns regarding the application as it currently stands and wish to register our objection for the following reasons:

Dormer Window: The Heritage Statement (HS) acknowledges that the proposed dormer window is an 'alien form to a building of this period'. We agree with this assessment and further assert that the proposal would cause an unacceptable level of harm to the building's special interest. Therefore, we cannot support this proposal. While we recognise that improved access would benefit the future use of the building, any harm requires clear and convincing justification, which we do not consider has been sufficiently provided. National policy emphasises that great weight should be given to an asset's conservation. Therefore, less harmful options for access into the attic should be considered, and it may be that full access to all parts of the attic is not possible.

First Floor Partition: The first floor plan shows 20th century timber framing that would be retained while the remaining partition would be lost, suggesting that the partitioning may be of significance. Further information is required to describe the age and significance of the partition and the proposed treatment, so that the impact of the proposal can be assessed. If the partition is of significance, we would not support the proposed loss of infill.

Windows: The HS describes the opening up of windows at attic level. While we do not object to this in principle, further detailed information is required to show the design and specification of the proposed window to assess the impact on the surrounding historic fabric. The drawings also show that the ground floor kitchen window will be replaced. However, the age of the existing window is unknown, and the proposed new window is not described.

Further information is required to understand the proposal and assess the impact of the window replacement.

Further Detailed Information: The HS states that an assumption has been made that workmanship, materials, and techniques will be of high standard. Unfortunately, this assumption does not ensure that historic fabric will be protected or that repairs will be carried out properly. Therefore, the applicant should provide a detailed specification and full scope of works for all of the proposals. This should include any thermal upgrades, changes to doors and windows, and any works to the flooring, walls, and ceiling finishes. Proposed service penetrations also need to be carefully considered. The specification should include a detailed method statement for each repair to demonstrate that the works are in line with conservation best practices. Without this information, it is not possible to assess the impact of the work on the historic building's significance.

For the reasons outlined in this response, we object to the proposals and recommend that the application is withdrawn for the applicant to respond to the points raised. We would be happy to look at these proposals again once they have been revised.

If this information is not forthcoming, we recommend that permission is refused"

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

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.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, concerns whether to grant planning permission for development which affects a listed building or its setting and requires special regard to be had to the desirability of preserving the building or its setting or any features of special or architectural interest which it possesses.

Principle of Development

Policy 1 of the SELLP sets out the settlement hierarchy in respect of delivering sustainable development, which meets the social and economic needs of the area whilst protecting and enhancing the environment; in order to provide enough choice of land for housing to satisfy local need, whilst making more sustainable use of land, and to minimise the loss of high-quality agricultural plots by developing in sustainable locations and at appropriate densities.

Policy 1 expresses this sustainable hierarchy of settlements, ranking the settlements deemed to be most sustainable in descending order. The most sustainable locations for development are situated within the 'Sub-Regional Centres', followed by 'Main Service Centres'. Lower down the hierarchy are areas of limited development opportunity including Minor Service Centres, with areas of development constraint comprising 'Other Service Centres and Settlements'. The countryside is at the bottom of the settlement hierarchy and represents the least sustainable location.

The site is within the settlement of Spalding which is classed as a sub-regional centre within Policy 1. As such development will be permitted that supports Spalding's role as a service centre, helps sustain existing facilities or helps meet the service needs of other local communities.

As the site is within Spalding, development within this location is considered appropriate. In any

event, the proposal solely relates to the extension of an existing and established residential dwelling and therefore, the principle of such development is considered to be appropriate.

As such, the proposal is considered to be in accordance with the requirements of the SELLP when viewed in principle. This is subject to the assessment against site specific criteria; including (but not limited to) the impact of the proposal on the character or appearance of the area, impact on the residential amenities of neighbouring occupiers, and impact on highway safety, which are discussed in turn in the following sections.

Layout, Design, Scale and Consideration of the Character of the Area

Section 12 of the NPPF, "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

Concerning extensions specifically, Paragraph 3.3.3 of the Reasoned Justification associated with Policy 2 states: "it is, however, important that any extension is carefully designed to respect and relate to the original building and integrates sensitively with the character and appearance of the surrounding area."

These policies accord with the provisions of the NPPF and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

The proposed internal alterations and reinstatement of the windows in the attic would have no significant impact upon the external appearance of the building. The windows are already in situ, and the change would merely reinstate glass, making them functional again, rather than creating a new opening. However, details of the value of the existing features have not been provided in respect of a number of aspects of the proposal put forward.

That being said, it is considered that the proposed dormer window significantly conflicts with the character of the building itself. The dormer window is a clearly modern feature, which juxtaposes the historic fabric of the building and fails to respect the existing character of the site. As a result, the proposal is not integrated into the overall design of the existing dwelling. The proposal therefore conflicts with Paragraph 3.3.3 of the SELLP, in that the extension is not integrated into the original building.

As a dormer window, it would be readily visible when the building is viewed from multiple directions, further exacerbating its impact. This projection would also fail to respect the existing character of the dwelling, which has historically been characterised by this sloping roof.

Taking account of the design, scale, and nature of the development, as detailed above, the proposal

is considered to be unacceptable. The proposal would have an adverse impact to the character or appearance of the area and would therefore be contrary to Policies 2 and 3 of the SELLP and Section 12 of the NPPF.

Heritage and Conservation

Policy 29 of the SELLP, alongside Section 16 of the NPPF, relates to the preservation of the historic environment. Both outline that all applications within the Conservation Area or which effect heritage assets, such as listed buildings, should preserve or enhance these assets.

The National Planning policy Framework (December 2024), at paragraph 202, advises heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. Section 16 of the NPPF 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".

Paragraph 213 of the NPPF outlines that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." In other words, should a proposal result in harm to an asset, this should be weighed against the public benefits arising from the proposal. Paragraph 215 expands upon this, stating that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The above assessment of harm should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Paragraph 207 of the NPPF outlines that in "determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Whilst the listing 'details' can be informative in regarding to the listed building, listings are primarily for identification purposes and do not provide an exhaustive or complete description of the buildings special interest.

Section 66(1) of the Planning (Listed Buildings and Conservation Areas Act) 1990, concerns whether to grant planning permission for development which affects a listed building or its setting and requires special regard to be had to the desirability of preserving the building or its setting or any features of special or architectural interest which it possesses.

Policy 29 of the SELLP outlines that all proposals shall conserve and enhance the character and appearance of designated heritage assets, advising that to respect the historic legacy, varied character and appearance of South East Lincolnshire's historic environment, development proposals are required to conserve and enhance the character and appearance of designated and non-designated heritage assets.

Section A of Policy 29 outlines criteria which applications relating to listed buildings should conform to. These are as follows:

- "1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.*
- 2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy*
- 3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."*

The comments of Society for the Protection of Ancient Buildings (SPAB), a statutory body for Listed

Building Consent application and one of the "six societies", and Historic England have highlighted that the HIA submitted as part of this application is insufficient to meet the requirements of Paragraph 207 of the NPPF. This opinion is echoed by the Local Planning Authority, whereby it is considered that the submitted HIA is inadequate and insufficient to represent a true assessment of the proposed development/works and their potential overall harm. As such, the proposal has failed to meet the requirements of Paragraph 207 of the NPPF.

Without sufficient evidence to support the application, a comprehensive assessment of harm cannot be made. As such, in accordance with the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Authority should err on the side of caution on this aspect.

In any event, at a minimum, it has been identified by the Local Planning Authority that less than substantial harm would be created by the proposed dormer window. The submitted HIA states: "It is accepted that this proposal offers a moderate degree of harm to the building's significance, particularly as a dormer window of this size represents a somewhat alien form to a building of this period". This point within the HIA clearly identifies harm resulting from the works. The comments from Historic England and SPAB have both also identified concerns regarding this portion of the proposal, with Historic England requesting that it be omitted entirely.

It is considered that the proposed dormer window would introduce a highly incongruous element, which completely juxtaposes with the historic nature of the building, thereby harming the significance of the heritage asset. In this instance, less than substantial harm has been identified.

Accordingly, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this instance, no public benefit would arise from the dormer window itself or the creation of an additional bedroom which the works would enable. The works proposed are not considered to appropriately secure the optimum viable use of the building. Accordingly, the proposal is considered contrary to Paragraph 215 of the NPPF.

Turning to the other elements of the proposal, it is also considered that the submission has not adequately demonstrated no harm, and accordingly, erring on the side of caution, it is considered that less than substantial harm would occur.

The staircase, conversion of the attic and replacement/reinstatement of windows all are considered to have the potential to cause harm. It is feasible for these works to notably impact upon the historic fabric of the building, or the importance of the significance of the asset; albeit, inadequate evidence has been provided or identified to support that such harm does not occur; and the actual process of their construction has not been provided. Without details of the materials to be used or the construction techniques, it cannot be said that no harm would be caused by the proposal. Therefore, it is considered that less than substantial harm would occur. Again, it is considered that no public benefits would arise from the works, and as such, the proposal falls short of Paragraph 215.

As such, the level of public benefit identified is not considered to outweigh the less than substantial harm to the heritage asset. Consequently, the proposal is considered contrary to the provisions of Section 16 of the NPPF, Policy 29 of the SELLP and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Impacts Upon Resident Amenity

Paragraph 135 of the NPPF states that development should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Policies 2 and 3 of SELLP sets out that residential amenity and the relationship to existing development and land uses is a main consideration when making planning decisions.

Ample distance has been maintained to any neighbouring dwellings to prevent overlooking. Views from the proposed windows would chiefly be of the existing boundary treatments.

As detailed above, the scale and design of the proposal is considered to have no significant or unacceptable impact on the residential amenities of the occupiers of adjacent properties or land users, when also taking account of the conditions recommended. As such, the proposal is considered to accord with Section 12 of the NPPF and Policies 2 and 3 of the Local Plan in terms of impact upon residential amenity.

Highway Safety and Parking

Section 9 of the NPPF is titled 'Promoting sustainable transport'. Within this, Paragraph 116 advises that "development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios".

In respect of highway matters, Policy 2 details that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met, specifically in relation to access and vehicle generation. Policy 3 details that development proposals will demonstrate how accessibility by a choice of travel modes including the provision of public transport, public rights of way and cycle ways will be secured, where they are relevant to the proposal. Policy 33 further reinforces the need for developments to be accessible via sustainable modes of transport.

Policy 36 of the SELLP, in conjunction with Appendix 6, sets out minimum vehicle parking standards and requires at least two spaces for dwellings of up to three bedrooms and three spaces for dwellings with four or more bedrooms.

Ample space has been provided to accommodate the additional parking required by the additional bedrooms. There would still be sufficient room to manoeuvre within the driveway to ensure vehicles leave in a forward gear safely.

The proposal would therefore be acceptable and would not have an unacceptable adverse impact on highway safety in accordance with Policies 2, 3, 33 and 36 of the SELLP, as well as Section 9 of the NPPF.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposed alterations are considered to fail to integrate with the existing dwellinghouse, thereby representing an incongruous form of development, significantly at odds with the character of the dwelling. It is considered that this would amount to harm to the historic asset, which is not outweighed by the public benefits arising from this proposal, which themselves are considered to be minimal.

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

Taking these factors into consideration, the proposal is considered to conflict with Policies 2, 3 and 29 of the SELLP, Sections 12 and 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas Act) 1990. There are no significant factors in this case that would outweigh the harm of the proposal; therefore, the planning balance is against the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under Delegated Authority.