DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0317-20**	**Applicant:**	**Sense**
Proposal:	Installation of replacement windows		
Location:	Sense Charity Shop 3-7 Station Street Spalding		
Terminal Date:	8th September 2020		

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 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the installation of new replacement timber windows at the Sense Charity Shop (3-7 Station Street). These windows are proposed to replace extant UPVC units.The proposal seeks to replace all of the windows on the rear elevation as well as all of the windows on the 1st floor of the front elevation. The proposed window style is like for like, save of course, for the proposal to use timber, rather than UPVC frames.

Site Description

The host property for this application is neither listed nor considered a 'building of local heritage' however, as a locally unique example of Art Deco architecture, this building, in conjunction with its location/surroundings, should be considered locally significant and highly contributive towards the character of Station Street and the wider Spalding Conservation Area (SCA).

The proposal site, along Station Street is a prominent portion of the Spalding Conservation Area, being one of the town's main thoroughfares into the highly characterful and significant 'Sheep Market' area of the town. The proposal site is visible from that prominent location.

The area, generally can be characterised by commercial properties, mostly of a mid-C19th style, however, with interspersed more modern commercial enterprise included.

History

H16-1374-06

Change of use to restaurant/cafe. Approved on 22-11-06

H16-0396-07

Illuminated Box Sign. Approved on 18-05-07

H16-0377-18

Replacement windows (retrospective). Refused on 22-06-18. Appeal Dismissed on 09-08-19.

Consultation Responses

Lincolnshire County Council Historic Environment Record

No Archaeological Input required.

Planning Considerations

Heritage Impact

The Local Planning Authority deems that this application will help to enhance the historic environment. This is because the proposal to replace inappropriate plastic frame windows with timber frame units helps to reintroduce vernacular materials and styles into this portion of the SCA. The extant UPVC windows are considered to be alien in material to the character of the conservation area and so restoration of the windows to a state which is in harmony with the character of the Conservation Area is considered to restore the character of the SCA at large and therefore, this proposal is considered to enhance the value, significance and aesthetic qualities of both the host property and the wider SCA setting.

Conclusion

For the reasons listed above, it is determined that this application is 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 (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.