SOUTH HOLLAND DISTRICT COUNCIL

Report of: **Development Manager**

To: **Planning Committee - 02 September 2020**

(Author: **Greg Watkinson - Planning Conservation Officer)**

Purpose: **To consider Planning Application H16-0337-20**

Application Number:	H16-0337-20	**Date Received:**	27 April 2020
Application Type:	FULL		
Description:	Removal, refurbishment and reinstallation of windows		
Location:	THE SQUARE CHURCH STREET SPALDING		
Applicant:	South Holland District Council	**Agent:**	Oglesby and Limb Ltd
Ward:	Spalding St Marys	**Ward Councillors:**	Lord Porter Cllr H T Drury

You can view this application on the Council's web site at
http://planning.sholland.gov.uk/OcellaWeb/planningDetails?reference=H16-0337-20

1.0 REASON FOR COMMITTEE CONSIDERATION

1.1 The property is owned by South Holland District Council.

2.0 PROPOSAL

2.1 This full planning application is for the removal, refurbishment/replacement of windows at The Square (also known as Gamlyn's Almshouses, Church Street, Spalding).

2.2 The windows indicated within the plans as 'Type A', 'Type A-I', 'Type B' and 'Type B-I' (totalling 32 windows) are proposed to be entirely replaced, having been found to be irreparable. The current windows with Gothic styling and glazing bars are proposed to be replaced with Crittall windows of a simpler design. The decorative stone settings are to remain and the openings will not be altered.

2.3 The windows marked on the plans as Types F, F-I, D, K and G are already of a crosshatch leaded light design and instead of being replaced are to be refurbished.

3.0 SITE DESCRIPTION

3.1 The Square (Known also as Gamlyn's Almshouses) is a grade II listed property. Historic England's Listing description is as follows;

3.2 " 2. Foundation of 1501, rebuilt 1843-4. Gothic style, quadrangular plan, with open side to road. 3 blocks of 2 storeys in red brick with ashlar dressings. 6 rectangular windows with 2 pointed lights, Gothic glazing, under dripmoulds, and 2 slits to each block. Each block has centre gable. Doors with 4-centred arches and rectangular dripmoulds, foliated terminals. Pinnacles at street

and gable ends in centre. Cartouches in side gables and oriels in gable ends facing road, crenellated parapets and leaded lights. Also an oriel to centre of centre block, which projects slightly with buttressed quoins. Brick plinth. Modern roofs. Very low garden wall to road, with 2 modern iron gates."

3.3 The setting of the proposal site is one of the more prominent historic locations within the Spalding Conservation Area, featuring a high density of listed structures, the most prevalent and significant of which is the Grade I listed St Mary and St Nicholas Church. There are multiple listed buildings in the area of both Grade II and Grade II* level.

4.0 RELEVANT PLANNING POLICIES

4.1 **The Development Plan**

4.2 South East Lincolnshire Local Plan, March 2019

Policy 1 - Spatial Strategy
Policy 2 - Development Management
Policy 3 - Design of New Development
Policy 29 - The Historic Environment

4.3 If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

4.4 **National Guidance**

4.5 National Planning Policy Framework (NPPF), 2019

4. Decision Making
12. Achieving Well-Designed Places
16. Conserving and Enhancing the Historic Environment

4.6 Planning Practice Guidance (PPG)

5.0 RELEVANT PLANNING HISTORY

5.1 H16-0115-10

Proposed communal IRS aerial/satellite dish. Approved on 14/05/2010

5.2 H16-0093-14

Upgrading of the fire sub-division of roof voids to the three Almshouses buildings. Approved on 20/06/2014.

5.3 H16-0772-15

The works comprise refurbishment and redecoration of windows and doors, repairs to ashlar dressings and cast-iron rainwater goods, kitchen and bathroom strip-out and replacement, alterations to internal walls, upgrading to building services and the installation of new heating and ventilation systems. Approved on 09/11/2015.

6.0 REPRESENTATIONS

6.1 None received.

7.0 CONSIDERATIONS

7.1 Planning Considerations

7.2 Heritage Impact

7.3 As identified in the report of the associated Listed Building Consent application (H16-0338-20) The Local Planning Authority does not consider there to be any risk to the value or significance of the listed property or the setting of the property. Naturally, the Local Planning Authority does regret the loss of decorative Gothic style windows however, as the Heritage Impact Assessment states, it is likely that the Gothic style windows are not original and would have been of a leaded lights style much like the extant windows in the rest of the property. Nevertheless, the leaded light/Crittall style is one which is contemporary to the structure.

7.4 Furthermore, from a pragmatic perspective it is the case that the current windows are in an advanced state of corrosion and the replacement of these windows will prolong the life of the external elements of the structure and provide the function of opening windows, allowing for a far greater level of modern amenity to the residents as well as superior ventilation, helping to allay fears of progressive damp issues. In addition, the proposals allow for a far greater level of security.

7.5 Therefore, on balance, whilst the proposed Crittall windows are not as visually enticing as the current Gothic windows, they are of a style which appears to be contemporary to the original property and provide a raft of improvements to the residential and modern amenity of the property, projecting the useful life of the property as modern residences further into the future and preventing progressive degradation of the frontage both visually and structurally. From a pragmatic perspective, this proposal helps to conserve, rather than enhance the Historic Environment in line with Section 16 of the National Planning Policy Framework (2019). This is because instead of enhancing the structure visually, the proposals seek to use a newly installed style of window in order to bolster the longevity of the structure, retain its residential use and therefore conserve the structure for the future.

7.6 Design and Layout

7.7 The Local Planning Authority seeks no amendment to the design or layout of the proposals. As mentioned above, the design of the proposed windows is deemed to be appropriate and in keeping with the overall character of the property and its historic setting. No amendments to the building's layout are proposed by this application.

7.8 It is considered that the proposals preserve the character and appearance of this part of the conservation area.

7.9 Additional Considerations

7.10 Public Sector Equality Duty

7.11 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.

7.12 Human Rights

7.13 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.

8.0 RECOMMENDATIONS

8.1 **Grant planning permission subject to the conditions listed in Section 9.0 of this report.**

9.0 CONDITIONS

1. The development must be begun not later than the expiration of three years beginning with the date of this permission.

   Reason: As required by Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

   Application Form
   A1424-01
   A1424-02
   A1424-03
   A1424-04
   A1424-05
   A1424-06
   A1424-07
   A1424-08
   A1424-09
   A1424-10
   A1424-11
   A1424-12
   A1424-20
   A1424-21
   A1424-22
   A1424-23
   A1424-24
   A1424-25
   A1424-26
   Design and Access Statement
   Window Schedule

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. The Local Planning Authority has acted positively and proactively in determining this application by assessing it against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise, and subsequently determining to grant planning permission.

This decision notice, the relevant accompanying report and the determined plans can be viewed online at http://planning.sholland.gov.uk/OcellaWeb/planningSearch

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Background papers:- Planning Application Working File

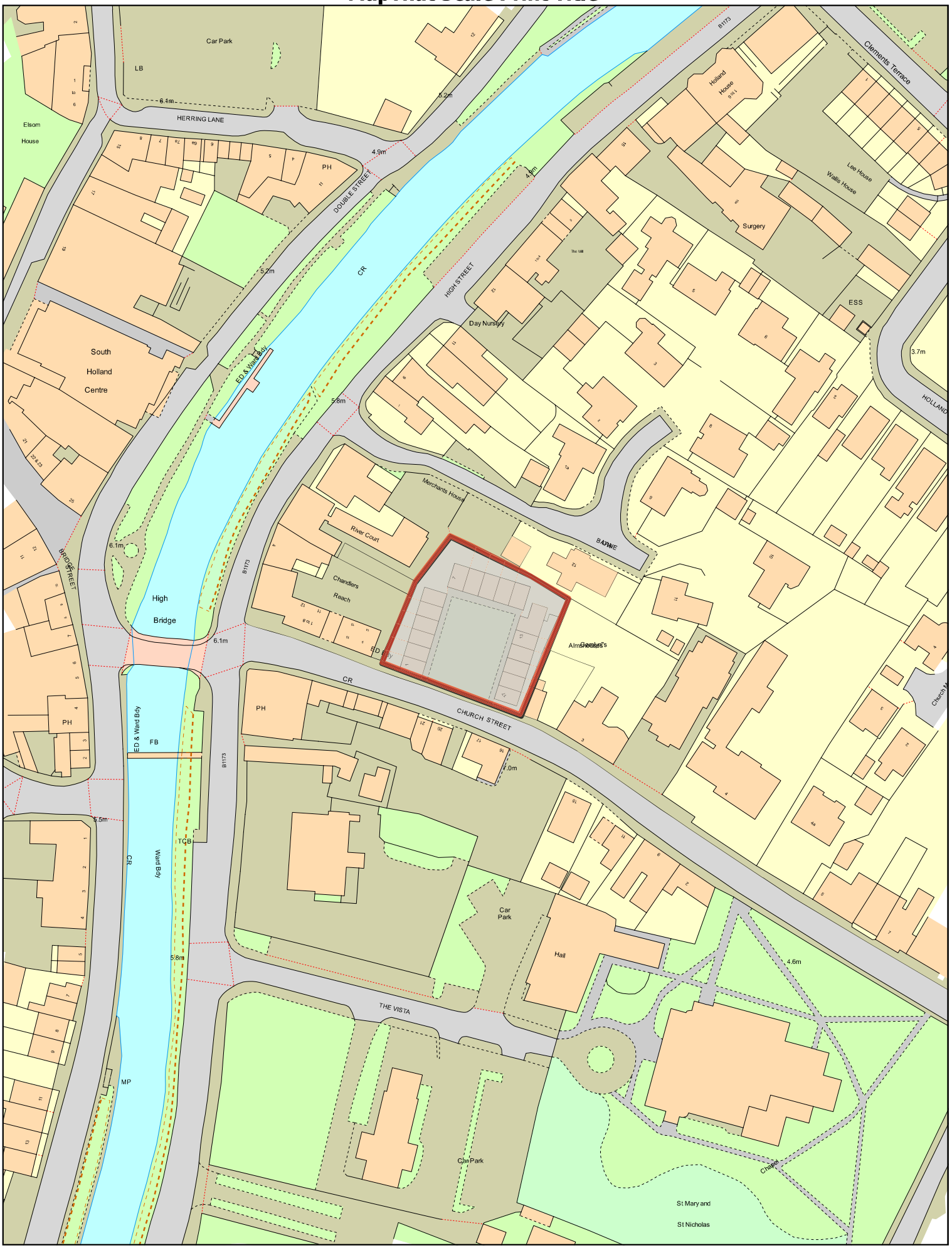
Lead Contact Officer

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Appendices attached to this report:

Appendix A Plan A

MapThat Scale Print Title



SOUTH HOLLAND DISTRICT COUNCIL

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MAP SCALE 1:1250
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