DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0343-24**	**Applicant:**	**Belcast Holdings Ltd**
Proposal:	Details of external doors & door frames, window frames & roof lights (Conditions 6, 7 & 8 of H16-0888-23)		
Location:	2 New Road And 1-3 Chapel Lane Spalding Lincolnshire		
Terminal Date:	10th June 2024		

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 2023

Sections 12 and 16 of the National Planning Policy Framework (December 2023)

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This application is for the discharge of Conditions 6, 7 & 8 of H16-0888-23.

Those conditions were as follows;

Condition 6

Details of the design of all external doors and door frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), threshold and lintol detailing, and means of opening. The doors and door frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building and the part of the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2023.

Condition 7

Details of the window frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building and the part of the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2023.

Condition 8

Prior to their installation full details of the proposed roof light(s) shall be submitted to and approved in writing by the Local Planning Authority. The roof light(s) shall be installed in accordance with the approved details and thereafter so maintained.

Note: The applicant is advised that a flush fitting rooflight of traditional design, having a slim metal frame and central vertical glazing bar, would be appropriate.

Reason: In the interests of the architectural and visual integrity of the overall development, and the character and visual amenity of this listed building and the part of the Conservation Area in which it is set.
This Condition is imposed in accordance with Policies 2, 3 and 29 of the South East Lincolnshire Local Plan, 2019 and Sections 12 and 16 of the National Planning Policy Framework, December 2023.

Site Description

As in host application

History

As in host application

Consultation Responses

None requested

Planning Considerations

Condition 6

The applicant has supplied details of the replacement door to be utilised on the rear of 2 new road, which is a standard PVC non-glazed door - typically such doors would not be permissible in a conservation area setting due to the non traditional material of construction and plain design. However, as 2 new road is not listed and the door to be utilised in placed on a rear elevation that is not readily visible from any public realm views, it is considered that it would not be reasonable in this circumstance to require the applicant to specify timber, traditional doors, in a position which has no bearing upon the wider appreciation of the Conservation Area. Therefore, the details provided are acceptable.

Condition 7

The applicant has supplied details of the proposed windows to be utlised throughout the property. A mixture of UPVC and timber are proposed. The applicant proposes that PVC be used to the rear of 2 New Road as well as 1 and 2 chapel lane, which are not listed, unlike number 3. All windows to street frontage elevations are proposed to be Timber sliding sash windows, and all windows throughout the listed 3 Chapel lane are similarly proposed to be timber.

Typically UPVC windows would not be permissible in a conservation area setting due to the non traditional material of construction and divergent design. However, as 2 new road or 1&2 chapel lane are not listed and the windows to be utilised are to be placed on a rear elevation that is not readily visible from any public realm views, it is considered that it would not be reasonable in this circumstance to require the applicant to specify timber, traditional windows, in a position which has no bearing upon the wider appreciation of the Conservation Area.

The proposed details of the timber windows are considered to be acceptable, and therefore, the details provided to discharge this condition are deemed to be permissible.

Condition 8

The applicant has provided details of the proposed roof windows, which would be situated upon the rear roof pitch of 1-2 Chapel Lane. This property is unlisted and the rear elevation is not readily appreciable from public realm views and therefore, the proposed windows are not considered to impact negatively upon the wider conservation area setting. Therefore, the details are permissible.

Conclusion

For the reasons listed above, the details provided are considered acceptable and therefore conditions 6, 7 and 8 can be discharged.

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.