DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0380-25**	**Applicant:**	**Mrs N Anderson**
Proposal:	Details of final mix & colour of mortar (Condition 2 of H16-0566-06)		
Location:	71 Albion Street Spalding		
Terminal Date:	24th June 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 an 16 of the National Planning Policy Framework (2024) (NPPF)

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This conditions discharge application seeks retrospective discharge of condition 2 of H16-0566-06, relating to details of the final mix and colour of mortar.

That condition read as follows:

"Before the commencement of the development hereby permitted, the final mix and colour of the mortar shall be approved in writing by the Local Planning Authority

Reason: In the interests of the architectural and visual integrity of the overall development and the character and visual amenity of the Listed Building in this part of the Spalding Conservation Area in which it is set.

This condition is imposed in accordance with Policy F2A and E2B of the Adopted South Holland District Local Plan and Policy EN4, EN5 and EN7 of the South Holland Re-Deposit Local Plan, April

2005 which established a broad range of assessment criteria to safeguard, enhance and maintain the amenities and interests of the Listed Building and Conservation Area."

Site Description

71 Albion Street is a grade II listed half of a block. Historic England describes the building like so:

"Pair of late C18 cottages in red brick: 2 storeys. The ends have pilasters. 4 windows on 1st floor, keystones, band at cills. 2 windows on ground floor. Marginal glazing bars. Door of 6 panels to No 69, modern door to No 71. Similar plain cases with plain fanlight to No 69, blocked fanlight to No 71."

The area is a highly prominent, riverfront portion of the Spalding Conservation Area, and is within close proximity of a number of other similarly listed properties.

History

H16-0566-06

Re-roofing of dwelling. Approved on 14-06-06

H16-0728-06

Alterations to include kitchen refurbishment, replacement windows, door and french doors. Application withdrawn.

H16-1417-06

Ground floor extension to rear of dwelling and alterations. Approved on 19-12-06

Consultation Responses

None requested

Planning Considerations

Condition 3

The applicant has confirmed that this is a retrospective discharge attempt to an older application. Given the limited details available for the 2006 consent, and the fact that the included analysis suggests a lime-based mortar was used, it is only possible for the LPA to settle that these details are satisfactory and sufficient for the purposes of discharging this condition.

However, any future applicant should be reminded of the responsibility to ensure that only the most appropriate and sensitive materials are used in conjunction with works to this important heritage asset.

Conclusion

For the reasons listed above, this application is deemed to be 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 (2024). The application is therefore 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.