

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0576-22 **Applicant:** Mr S Savage

Proposal: Reinstatement of a sash window and a change to the painting scheme for the new section of cast-iron downpipe

Location: 11 London Road Spalding

Terminal Date: 5th August 2022

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 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
SPALDING & DISTRICT CIVIC SOCIETY	0	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This listed building consent application is for the reinstatement of a sash window into an original opening and the repainting of rainwater goods.

As extant the window proposed to be replaced is situated on the 1st floor of the rear elevation of the building. It is currently a faux-sash casement window of modern construction, Subsequently it looks out of sorts, with thicker framework and glazing bars than that which are featured on the other, more original windows. It is proposed to replace this window with a proper up-down sash window with 16

panes in an 4x2 configuration with single glazing - the style to match like-for-like that of the original window situated above it. It is also proposed to reinstate a stone cill, which again, matches the style which is extant on other windows at the site.

Additionally, it is proposed that the colour of the rainwater goods be changed from gloss black to a light grey - this is a partially retrospective proposal.

Site Description

11 London Road, Spalding is part of a block of Grade II listed properties. Historic England describes the site like so;

"Mid C18 houses of 3 storeys in red brick. Each has 3 windows, glazing bars, but some are modern and not hung sashes. Each pair has a parapet. Nos 13 and 14 have plain glazed fanlight over doors of 6 panels. No 12 has a projecting porch in Roman Doric with open modillion pediment and wrought iron ornamental guards to 2nd storey windows. No 11 has a 2-storey 1-window modern bay. Radiating fanlight over door of 6 panels (4 glass) with cornice hood on brackets over. Iron railings to basement."

History

H16-0006-18 - Demolish ground floor level pitched roof incorporating an enclosed redundant WC with external door. Replace UVPC rainwater system fixed to same roof with cast iron downpipe into pre-existing storm drain. Approved on 20-02-18.

H16-0247-13 - Proposed reinstatement of internal window shutters and proposed installation of plantation shutters to basement. Approved on 05-06-13

H16-0435-12 - Reinstatement of internal window shutters to front elevation to ground floor, replacement/refurbishment of second floor floorboards and installation of plantation shutters to basement/kitchen window to front elevation. Refused on 11-01-13

H16-0017-10 - Change of use of existing offices into residential accommodation. Approved on 04-03-10

H16-0851-08 - Roof repairs (part retrospective). Approved on 02-10-08.

H16-0389-08 - Roof repairs (retrospective). Refused on 25-06-08

H16-1199-01 - Change of use from domestic to office accommodation. Approved on 21-11-01

Consultation Responses

Spalding and District Civic Society

Supports the proposal.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk to the value or significance of this heritage asset. The applicant has supplied dimensional details in sketch form of the proposed new windows and have, within their Heritage Impact Assessment committed to the proposed window being comparable to those situated upon the 2nd floor of the property, which match this proposed windows in dimension. The design then, shall match the overall characteristic of windows on the property and replace the extant visually distinct and inappropriate casement window. Furthermore, the proposal to use a stone cill is considered fully appropriate. The cill is closely matching in appearance to those which are featured on site already, and are generally considered to be an appropriate and accurate feature.

The retrospective proposal to paint the rainwater goods light grey would normally not have required Listed Building Consent as the painting of accoutrements with colours generally accepted to be heritage tones such as that used as proposed is not considered to be a process which passes the

threshold of impacting the character of a listed building sufficiently to require consent. However, during H16-0006-18 it was conditioned that the rainwater goods would be of black painted metal. However, contrary to that condition, it is confirmed that such a colour is considered to be appropriate and acceptable and to therefore have no negative impact upon the character of the historic building. Furthermore, several buildings of comparable history within visual range of this site have rainwater goods painted in heritage tones which are not black and this does not detract from the character of the area.

As outlined above, the proposal to replace the inappropriate modern casement window on the rear elevation of the property is considered to be of benefit to the character of the site. Even moreso that it is to be replaced with a window of a style and design matching those featured elsewhere on the same elevation which are much more authentic to the history of the property. It is considered that the painting of the rainwater goods will have no impact at all. Therefore, in summation, it is appreciated that this proposal will assist in Enhancing the historic environment by removing an inappropriate feature to be replaced with a more authentic style.

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 (2021). 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.