

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-0627-26 **Applicant:** CJNI Spalding Ltd

Proposal: Replacement of existing defective timber-framed single glazed windows to the front and rear elevations of building, with new like-for-like uPVC double-glazed window units

Location: Beechfield House 19b High Street Spalding

Terminal Date: 4th September 2026

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
29 The Historic Environment

National Guidance

National Planning Policy Framework December 2024

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
OTHER STATUTORY BODIES	1	0	0	1

CASE OFFICER ASSESSMENT

Description of Proposal

This is a listed building consent application seeking to replace the existing timber-framed single glazed windows at Beechfield House, Spalding, with UPVC double glazed window units.

Site Description

The site is within the settlement boundaries of Spalding, as outlined within the South East

Lincolnshire Local Plan, 2019. The site is along the river front, within the historical commercial centre of the town. It is within the Conservation Area and the "Riverside" historic character area, as defined with the Spalding Extensive Urban Survey. The area is characterised by Victorian and Georgian buildings, often being former warehouses now converted to dwellings. Several Grade II and II* listed buildings are present in the immediate area, including the Grade II* listed Yew Lodge and 22 Cley Hall.

The site is a Grade II listed former warehouse turned block of flats. The application site does not form the totality of the listed asset. The description provided by Historic England is as follows: "2. Mid C18. 4 storeys in local brick with 7 windows, segmental arches, casements, 2 upper hatches. Ground floor has a round-headed arched doorway with stone keystone and impost bands. 5 windows and segmental-arched doorway to No 19B with modern door."

Relevant History

H16-0626-26 - Full - Replacement of existing defective timber-framed single glazed windows to the front and rear elevations of building, with new like-for-like uPVC double-glazed window units - Ongoing.

Consultation Responses

The responses received from consultees during the initial consultation exercises, which can be viewed in their entirety through the South Holland website, can be summarised as follows:

Conservation Officer

Please take this email as my formal response to both H16-0626-26 and H16-0627-26. I write to confirm my objections in the strongest possible terms to both applications.

The application seeks consent for the replacement of 54 timber windows with 'like for like' UPVC replacements.

With the above in mind, the Local Planning Authority considers the proposal to represent a form of harm. That is due to the fact that UPVC windows are a totally inappropriate proposed feature on a listed building. They fail to preserve the material authenticity that is both a requirement for listed buildings and also specifically prevented by Policy 29, Section B of the SELLP. Whilst the design of UPVC windows may be capable of a degree of replication of the design of timber windows, the appearance and characteristics of plastic are inappropriate for use on protected buildings and still do not satisfactorily replicate the frame thickness of true timber to a degree that is acceptable on a grade II listed asset.

Moreover, whilst the applicant suggests the proposed windows are 'like for like', this is incorrect as they do not replicate the timber materials and the glazing pattern of several windows is subtly different. Moreover, the applicant has not provided exhaustive sectional drawings of the proposed new windows with full measurements included and so with the detail included on the simple plans provided thus far, it is not possible to accurately compare measurements with regard to frame thickness, format etc.

Regardless, the windows currently on the property are of a non-original style that are themselves considered unsightly and not at all period appropriate. As such, I am not satisfied that there even is any value in the existing windows being replicated in style. To agree to a replication of the existing windows would be for the Local Planning Authority to perpetuate a harmful effect upon the listed building.

In such cases, the preamble to Policy 29 applies when it states: "Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced." This is such an appropriate situation to require enhancement, and this is reinforced by Policy 29, Section B, Subsection 3, which states "Where relevant and practical, remove features which are incompatible with the Conservation Area." This is such a case in which there is an opportunity to remove an incompatible architectural feature, but the applicant proposes to instead perpetuate that incompatible feature and worsen it by converting the units to an even more inappropriate built form in the shape of UPVC.

The applicant would be far better served by proposing to install genuine timber, period appropriate flush fitting timber, side opening casement windows with a central meeting point or flush fitting

timber sliding sash windows, neither with any cill. These sorts of windows were those most commonly used in period warehouses.

Because of this, the harm of the to the listed building is considered 'less than substantial' but this is only because 'substantial harm' is an exceptionally high test. The scale of this work is such that the harm should be considered to be at the very highest possible level of 'less than substantial' to the degree that if the interior of the property has been stripped of historic value previously, such that the exterior is the only remaining aspect of value, that this scheme would easily tip into 'substantial' harm. Consequently, if the application is not refused, I would recommend that the applicant be required to provide - prior to determination - a full photographic survey of the interior.

The justification provided for the proposed works; that being that the existing windows are rotten and unsightly whilst true, is totally insufficient. There is nothing about either realities presented that prevents the building owner from reasonable being expected to utilise windows which are materially and visually appropriate for the listed building. In fact, these supposed justifications only enhance the argument that the replacements should be as fully appropriate as possible to the status of the listed asset.

The applicant then also seeks to justify the proposal by extolling the qualities of the proposed replacement windows. As the he LPA's conservation specialist advisor, I entirely disagree and consider the proposed UPVC windows to be wholly inappropriate and low quality compared to the needs and expectations of a listed building. The notion that UPVC is a high quality material in this context is a nonsense.

Statement 5 included within Section 6.1 of the included HIA, demonstrates a concerning lack of consideration and knowledge of the requirements for conserving a listed asset by asserting that simply because the rear elevation is less prominent, that the impact of harmful works is lesser.

This is a listed building, the entirety of the building is listed, and so harm is equally unacceptable in all positions - albeit the impact to the conservation area is lesser.

I find the justification to be neither clear, nor convincing in the slightest.

Subject to Para 215. of the NPPF, there is also very little to no public benefit against which to weigh the harm, as the property is wholly in private ownership and so essentially all benefits would be enjoyed by a private individual(s).

Consequently, I strongly recommend that both applications be refused for failure to satisfy the requirements of section 16 of the NPPF, as well as Policy 29 of the SELLP.

Historic Places Team

Having reviewed the application documents and the updated available Historic Environment information for this application, the proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application. It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request. Finally, as the proposal includes the replacement of external elements within Spalding Conservation Area and might affect the setting of the Grade II listed MLI94491 Star Relay Warehouse, High Street, the SHDC Conservation Officer should be consulted prior to determination, given the potential indirect impacts on the significance of the conservation area

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters of representation have been received.

Key Planning Considerations

Evaluation

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their

setting, or any features of special architectural or historic interest which they possess.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Layout, Design, Scale and Consideration of the Character of the Area and Heritage Considerations

Policy Context - Design

Section 12 of the NPPF, "Achieving well-designed places", states that the "creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve" and as such, it is generally accepted that good design plays a key role towards sustainable development.

Paragraph 135, contained within Section 12 of the NPPF, states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping. This goes on to establish that it is important that new development should be of the highest quality, to enhance and reinforce good design characteristics, and that decisions must have regard towards the impact that the proposed development would have on local character and history, including the surrounding built environment and landscape setting such as topography, street patterns, building lines, boundary treatment and through scale and massing. Developments should create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP outlines sustainable development considerations for proposals; providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals. Furthermore, Policy 3 of the SELLP requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically designated or undesignated townscape or landscape surroundings.

These policies accord with the provisions of the NPPF and require that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable. Proposals for new development would therefore require the aforementioned considerations to be adequately assessed and designed, including the siting, design, and scale to be respectful of surrounding development and ensure that the character of the area is not compromised.

Policy Context - Listed Building

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

Paragraph 213 of the NPPF outlines that "any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification." In other words, should a proposal result in harm to an asset, this should be weighed against the public benefits arising from the proposal. Paragraph 215 expands upon this, stating that "where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The above assessment of harm should be informed by the submission of an appropriate Heritage Impact Assessment (HIA). On this point, Paragraph 207 of the NPPF outlines that in "determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic

environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary".

Policy 29 of the SELLP outlines that all proposals shall conserve and enhance the character and appearance of designated heritage assets. Section A of Policy 29 outlines criteria which applications relating to listed buildings should conform to. These are as follows:

- "1. Proposals to change the use of a Listed Building or to alter or extend such a building will be granted where the Local Planning Authority is satisfied that the proposal is in the interest of the building's preservation and does not involve activities or alterations prejudicial to the special architectural or historic interest of the Listed Building or its setting.
2. Proposals involving the demolition of Listed Buildings will not be permitted, unless in an exceptional case, or wholly exceptional case (depending on their grade) where a clear and convincing justification is made in line with national policy.
3. Proposals that affect the setting of a Listed Building will be supported where they preserve or better reveal the significance of the Listed Building."

Assessment

The existing unit forms a prominent and high quality building, with largely traditional features and proportions, which contribute positively to the character and appearance of the street scene and the Conservation Area. The retention of these more traditional features contributes positively to the appreciation of the listed asset.

The Applicant has stated that the replacement windows would be "like for like". However, replacement windows of similar modern materials would not fully replicate the appearance of the timber-framed windows, including matters of finish and fine detailing. The installation of UPVC would therefore remove important historical fabric of this property and not replace 'like for like'. The frames of the UPVC windows would appear thicker than the existing timber-frames and the tactility of the material would be inherently different. The double glazing would appear thicker than the existing single glazing, again augmenting the perceived proportions of the building. This would detrimentally alter the appearance of the principal elevation of the building and harm to the historic integrity and significance of this heritage asset.

Detailed drawings to demonstrate the "like for like" quality described by the Applicant have not been provided, therefore it cannot be said with any certainty that the proposal would replicate the existing features to any significant degree.

Whilst views of the rear would be less prominent, views from the public realm would still be available from Beechfield Gardens and Holland Road. The Beechfield Medical Centre and carpark to the rear of the application site would result in a greater level of footfall, thereby increasing the impacts of development. In any event, this element would still affect the asset as a whole, as per the Conservation Officer's comments; and therefore, whilst the effect of changes upon the setting of the building would be less, the effect upon the asset itself would be the same regardless of positioning. As such, the rear elements would also fail to preserve or enhance the listed building.

It is accepted that the existing frames are in disrepair. However, there is no evidence before the Council to suggest that they could not be replaced in a more sympathetic manner. Whilst it has been stated that repairs are unviable; however, this has not been fully evidenced, and in any event, even if repairs are unviable, it has not been outlined as to why alternative timber frames are unviable also. This approach would be consistent with the Historic England guidance "Modifying Historic Windows as Part of Retrofitting Energy Saving Measures".

Moreover, the existing windows which the proposal seeks to replicate are of themselves anachronistic. A lower quality replication of a feature which is already detrimental to the appreciation of the building would simply further degrade the asset.

The comments and objections the Conservation Officer are strong in this regard, and carry significant weight.

As such, less than substantial harm to the listed building and the Conservation Area would occur through the proposed alterations, with said harm being at the higher end of less than substantial harm as per the comments of the Conservation Area. Accordingly, as per Paragraph 215 of the NPPF, the harm identified should be weighed against the public benefits of the proposal. The

benefits primarily stem from increased energy efficiency; however, as outlined previously, it has not been outlined that alternative routes have been considered, and therefore, it cannot be assumed that these benefits would only arise from the proposal in its current form. In any event, these benefits are unquantified and are not so significant besides to outweigh the harm identified. The majority of benefits would be felt by the site owner, rather than the wider public.

In any event, regardless of the extent of harm identified, Policy 29 is clear that all proposals should preserve or enhance listed buildings. Therefore, the removal of a traditional, vernacular material and its replacement with a less sympathetic modern material would fail to preserve the assets, and would be contrary to Policy 29 as a result.

Moreover, the Conservation Officer has identified the existing frames as of low quality, anachronistic features which detract from the asset. The requirements of Policy 29 are such that appropriate enhancements should be sought where appropriate, with the Conservation Officer identifying this as such a place. The proposal would therefore be contrary to Policy 29 in this regard.

For these reasons, the proposal is considered contrary to Policies 2, 3 and 29 of the SELLP and Section 12 and 16 of the NPPF.

Planning Balance

Section 16 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority to have special regard to the desirability of preserving listed buildings, their setting, or any features of special architectural or historic interest which they possess.

The proposal is considered to result in less than substantial harm, which would not be outweighed by the identified minor benefits.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to conflict with Policies 2, 3, and 29 of the SELLP, as well as Sections 12 and 16 of the NPPF. There are no significant factors in this case that would outweigh the harm identified; therefore, the planning balance is against the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under Delegated Authority.