DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0792-20**	**Applicant:**	**Longhurst Group**
Proposal:	Replacement timber windows and doors		
Location:	Welland Mews Double Street Spalding		
Terminal Date:	10th May 2021		

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 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the replacement of timber windows at Welland Mews, Double Street, Spalding. The replacement windows are to be pine timber and like for like in style when compared to the windows which are currently in place.

Site Description

The proposal site is a residential development site, which is relatively modern, within a prominent riverfront portion of the Spalding Conservation Area. The general character of the area is a mix of commercial and low/medium density residential developments of varying eras and architectural styles.

History

None relevant

Consultation Responses

None received.

Planning Considerations

Heritage Impact

TH elocal planning authority determines that there is not risk to the value or significance of the Conservation Area or any other nearby desingated or non-designated Heritage Assets. This is because the proposed windows and doors are like for like in style and material - being constructed in timber in the same manner as those which are extant. By replacing timber windows which have visually deteriorated, the applicant would be uplifting this property and as such, this proposal can be said to help to enhance the historic environment in accordance with Section 16 of the National Planning Policy Framework (2019)

Planning Balance

There are no negative elements of this proposal against which to balance.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 19 of the South East Lincolnshire Local Plan as well as Sections 12 and 16 of the National Planning Policy Framework (2019). 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.