

DECISION DELEGATED TO DEVELOPMENT MANAGER**DECISION DELEGATED TO DEVELOPMENT MANAGER**

Application No: H16-0821-20 **Applicant:** Mr & Mrs Hawtin
Proposal: Replacement of 5 windows to rear elevation.
Location: 21 London Road Spalding
Terminal Date: 19th May 2021

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 2019**

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

Representations:

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

CASE OFFICER ASSESSMENT**Proposal**

This listed building consent application is for the replacement of 5 windows to the rear of 21 London Road, Spalding. The proposed windows are of a timber sash style, featuring 3x2 panels, no sash horns and will be weighted in action.

Site Description

The proposal site is a property within a Grade II* listed terrace of properties. This terrace sits within a highly prominent portion of the conservation area and as such forms a major part of the characterisation of the town centre and riverfront portions of the local Conservation Area.

Historic England describes the terrace as so:

"A particularly fine terrace range of C18 houses in red brick. Most are of 3 windows. Nos 23 to 27 are in the centre, with a parapet having a panel in the centre with the name. A triglyph frieze below this. All have doorcases in Roman Ionic in wood, with open modillion pediments and ornamental fanlights, except No 28, which has a porch, and No 29. Most have modern bays. Nos 20 to 22 and 28 and 29 have no parapet. No 28 has 6 windows and No 29 has 3. Windows are hung sashes with glazing bars, rendered lintels. Windows are symmetrical 9-15-9. Nos 20 to 22 and 28 and 29 have box eaves cornice with Adam type ornament. Doorcase to No 29 has open modillion pediment on brackets. Doorways have radiating fanlights and panelled reveals Possibly 1813, by John Cunnington."

History

H16-0922-09

Internal alterations. Approved on 24-02-10.

Consultation Responses

Historic England

The removal of the extant 20th century, inappropriate windows is acceptable. However, the proposed replacement windows are of an inappropriate style to the Grade II* listed nature of the site. The windows should not feature horns as this is not period appropriate to the property. The windows should be of a vertically hung style rather than the proposed balanced spring style.

The applicant considered the comments of Historic England and has amended their plans accordingly.

Spalding and District Civic Society

The relief of the windows within the window reveals needs to be considered.

Planning Considerations

Heritage Impact

The extant windows are not original to the structure and are inappropriate to the building in terms of style and era. Therefore, their removal and replacement with improved units will be a significant addition to the Heritage qualities of the site. The proposed new windows, after amendment are considered to be highly appropriate, they are proposed to be 3x2 uppers and lowers, built in timber, without horns and fixed using the period-appropriate vertical hanging manor. Due to this, this proposal is deemed to help to enhance the historic environment in line with Section 16 of the National Planning Policy Framework (2019) due to the removal of inappropriate windows and replacement with far more appropriate and period correct units.

Planning Balance

The proposal put forth by this application is deemed to be wholly positive and therefore, there is nothing to balance against.

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

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.