DECISION DELEGATED TO HEAD OF PLANNING

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| **Application No:** | **H16-0927-22** | **Applicant:** | **Mrs M Richardson & Mrs A Cheng** |
| **Proposal:** | Change of use of former offices to single dwelling including associated minor alterations, provision of new boundary treatment to rear and repair of defective rear access steps/landing | | |
| **Location:** | 15 High Street Spalding | | |
| **Terminal Date:** | 16th November 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 |

CASE OFFICER ASSESSMENT

**Proposal**

This Listed Building Consent application is for the change of use of 15 High St, Spalding from offices to a single residential dwelling. The proposal also included extremely minor removal and addition of stud walling to slightly alter the internal layout and also the addition of a new rear timber fence.

**Site Description**

15 High St is a Grade II listed former house, now offices. Historic England describes the property

like so:

*"Early-mid C18 house with modern fenestration 5 storeys and basement in brick with Welsh slate roof. Small wood cornice. Band between basement and ground floors. 4 steps to inset door of 6 panels (2 glass in plain moulded stucco case with plain pilasters, frieze and cornice. Interior has C18 panelling in hall."*

The site is situated within the highly prominent central riverside portion of the conservation area for Spalding (SCA) and is flanked by a wide selection of listed and otherwise locally important buildings. The area in general is characterised by large scale and historic residential properties, however, some modern commercial/office use is present in the surroundings.

## History

H16-1230-92

Construction of internal ground floor partition to comply with Fire Brigade requirements. Approved on 28-01-93

H16-0542-97

Change of use from office to domestic dwelling. Non-determination issued 26-09-99

## Consultation Responses

None received.

## Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk to the values or significance of the heritage asset proposed by this application. Only minor alterations are proposed to the property, with the only material changes being some small addition or removal of stud walling to minimally alter the layout. Any removed material is not original and the proposed stud walling work could be reversed should any future owner see fit to do so. Therefore, the only externally visible alterations proposed to the property is the proposed reconfiguration of the rainwater goods to the rear of the property and also the addition of the 6ft close-board fence enclosing the rear amenity space.

The precise details of the proposed rainwater goods will be established by means of a condition should the application be approved. The timber close boarded fence is modern in style, however, is not alien to the setting and is easily removable should that be desired and offers a lightweight non-intrusive method of adding some separation and privacy to the proposed rear yard.

Furthermore, to restore the property to residential use would be to restore the historic and original character and use of the property. This proposal achieves this in a non-invasive manner which requires only minimal alteration. Therefore, on balance, it can be said that despite presenting only very minor external alterations, this proposal assists in ENHANCING the Historic Environment in accordance with Section 16 of the NPPF (2021).

## Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3, 29, and 36 of the SELLP (2019) as well as Sections 12 and 16 of the NPPF(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.