DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-1096-22**	**Applicant:**	**Mrs V Wood**
Proposal:	Replacement windows to shop front of hairdressing business		
Location:	60 Winsover Road Spalding		
Terminal Date:	9th January 2023		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposal is for the replacement of the shop-front windows located at 60 Winsover Road. The replacement is from white, painted timber to white UPVC.

Site Description

The property is situated at the junction of St John's Road, Winsover Road and Park Road. The site is the middle unit of a three property terrace, located on Winsover Road. The surrounding area is characterised by terraced housing of a variety of ages. Roughly 50 metres to the west is a railway track.

The current timber window frames are well weathered and in need of repair. The timber framing seen in this property is unique within the area, with all others in the vicinity having white UPVC frames. The property currently possesses UPVC windows on the second floor.

Relevant History

No relevant planning history.

Consultation Responses

No consultation responses received.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting. Likewise, Policy 2 of the South-East Lincolnshire Local Plan (SELLP) states 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.

The proposal is considered minor and does not significantly alter the overall appearance of the business. The UPVC would not materially harm the character of the area, with the alteration, in many ways, bringing the property more in line with its surroundings. The gain to the aesthetics of the property by removing the currently damaged window frames would be a benefit to the area.

The proposal is therefore deemed to accord with Policies 2 of the SELLP and paragraph 130 of the NPPF.

Impacts Upon Resident Amenity

The proposed works would have no impact on residential amenity and create no overshadowing or overlooking. As such the proposal accords with Paragraph 130 of NPPF and Policies 2 and 3 of the SELLP.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or amenity of nearby residents. The proposed windows and shop front are of an appropriate material, and style and are a significant enhancement over the units currently present at site. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

In light of the considerations above, the proposal is considered to be in accordance with Policies 2 and 3 of the South-East Lincolnshire Local Plan (2019) and Section 12 of the National Planning Policy Framework (2021). The recommendation is, therefore, for delegated 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.