DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H18-1131-22**	**Applicant:**	**Mr R Thomas**
Proposal:	Replacement of Shopfront Windows		
Location:	Bridge Hardware 57 Bridge Road Sutton Bridge		
Terminal Date:	30th 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
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The application proposes to replace the existing green painted timber shop front windows to white upvc windows.

Site Description

The property is situated on Bridge Road in Sutton Bridge. The building is sited on a corner plot and is occupied by a hardware store. The building has an existing shop front with green painted timber frames. The street scene comprises a mixture of residential and commercial units.

Relevant History

No relevant planning history.

Consultation Responses

Sutton Bridge Parish Council

Supports the scheme as it is in keeping with the retail use of the property.

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 relates solely to the visual appearance of the building and therefore the key consideration in this instance is the impact the proposed replacement windows would have on the character and appearance of the building and the area.

The replacement windows would be white upvc and are considered to improve the appearance of the building as the existing timber windows are old and the frames have somewhat deteriorated over time. The replacement windows would not be significantly different to the existing therefore the proposal would not significantly alter the overall appearance of the site. There are upvc windows already present in the street therefore the introduction of more upvc is not considered to be completely out of character with the area.

The proposal is therefore deemed acceptable on design grounds and considered to accord with Policy 2 of the SELLP and paragraph 130 of the NPPF.

Planning Balance

The proposal will not materially harm the character or appearance of the locality. The replacement windows are of an appropriate material, and style and are an improvement to the current state of the shop front. 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.

RECOMMENDATION

The application can be approved under delegated powers.