DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H11-0259-26**	**Applicant:**	**The RJN Corporation Ltd**
Proposal:	Replacement of 9 Windows		
Location:	Churchills, Minerva House 49 West Street Long Sutton		
Terminal Date:	12th June 2026		

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 December 2024

Section 2 - Achieving sustainable development
Section 4 - Decision-making
Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	1	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	2

CASE OFFICER ASSESSMENT

Proposal

The application seeks full planning permission to install 9 timber framed replacement windows at Churchills, Minerva House in Long Sutton.

Site Description

The application site comprises land at Churchills which is a public house located within Minerva House in Long Sutton. The site is located to the south of West Street and to the west of The Chase. The site is within Long Sutton Conservation Area and the building within the site is grade II listed. The building features two storeys, red brickwork facades and white timber sliding sash windows.

The site is within the settlement boundary of Long Sutton, as identified by the South East Lincolnshire Local Plan 2011-2036 (March 2019) and the accompanying policies map.

The site is within Flood Zone 3, as identified by the Environment Agency's flood risk maps.

Relevant Planning History

H11-1176-89: (Full Application) Extensions to Social Club and provision of' stewards flat' - approved 02 November 1990

H11-1178-89: (Listed Building Consent) Removal of existing snooker room, erection of new' extension and stewards flat' - approved 02 November 1990

H11-0726-22: (Full Application) Conversion of snooker room into 2 bedrooms to be rented out to general public (no breakfast will be provided) - refused 19 October 2022 - appeal dismissed 22 June 2023

H11-0261-26: (Listed Building Consent) Replacement of 9 Windows - pending determination

Consultation Responses

The responses received from consultees during the consultation period are summarised below. The responses can be viewed in their entirety on South Holland District Council's website.

Long Sutton Parish Council: There are no observations in relation to this application.

Lincolnshire County Council - Historic Environment: The proposal is unlikely to have an impact on significant archaeological remains. Consequently, no further archaeological input is necessary for this application.

Lincolnshire County Council - Highways and SUDS: Replacement of 9 Windows the front elevation is set back from the public highway and whilst the side elevation abuts the public highway it is unlikely to have any adverse impacts. Highway informative 08 is recommended.

Conservation Officer:

First Response (24 April 2026): I write to confirm my objection to the proposal to replace 9 windows with new double-glazed units. This is because the extant windows that the applications seek to replace appear to be historic or perhaps even original, formed of a traditional single-glazed construction. The latest guidance provided by Historic England within Historic England Advice Note 18 (HEAN18) confirms that replacement of windows with double glazed units can be acceptable, but only where the windows are not important or integral to the overall special interest and character of the listed building. Given that the windows are specifically identified as a feature within the Historic England listing description of the site, and they appear to be of a traditional, perhaps original design and construction, I am not satisfied that this proposal would meet this description of an acceptable form of double-glazing replacement. The development, in accordance with Para. 212 of the NPPF would therefore, constitute a form of 'less than substantial harm' via the introduction of a modern form of glazing, removing the historic character of single glazed panels entirely from the building.

Nevertheless, it remains possible for 'less than substantial harm' to be justified. Per para. 213 of the NPPF, any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification. The applicant attempts to justify the proposal by highlighting the energy

efficiency benefits and ensuring that the viable use of the site remains in place. These are perfectly legitimate arguments to make, however, they do not represent convincing justification, where less drastic interventions are possible to improve energy efficiency and achieve the same objective, such as installation of modern secondary glazing. Such alternatives do not appear to have explored in the process of arriving at this proposal, and as such, it cannot be shown that efforts have been made to avoid wholesale replacement of the historic frames and glass.

Furthermore, and in addition, Para. 215 of the NPPF confirms that where a development shall lead to less than substantial harm, it may be weighed against any public benefit, including securing the 2 optimum viable use. In this case, some public benefit may be identified, given that the site is a club and public house, meaning that the site is essentially in use as a community asset. Therefore, improvements and the securing the future viable operation of this site could be seen as a benefit. However, at this point in time, with the information provided alongside the application, I cannot conclude that the harm is outweighed by the public benefit, especially seeing as the justification for the proposal, and indeed why alternatives are not possible - as mentioned above - does not appear to be sufficient or convincing.

For the above reasons, I confirm that in its present state, I believe this proposal to represent an unjustified form of harm to the listed building. In this way, the proposal also fails to meet the requirements of Policy 29(A) of the SELLP, in that it does include activities that I consider to be not in the interests of the building's preservation, and does include alterations that would be prejudicial to the special architectural interest of the listed building and its setting. For this reason, I recommend that the application be refused.

Second Response (04 June 2026): I write to confirm that I am not satisfied with these applications and hold that in their current state they are not approvable. In my previous comment I had recommended refusal of both cases due to the fact that the proposal remained unjustified.

The applicant has supplied an updated Heritage Impact Assessment which I unfortunately hold some reservations about.

Firstly the agent suggests that whilst the windows are of value, that they are of a lesser value and that the significance of the building is borne primarily of its architectural composition, including the general appearance of the windows instead of their specific glazing format. I would refute this concept entirely and draw the applicant's attention to the portion of the Historic England listing description which refers specifically to the windows, and the fact that they are single glazed. At the time of listing, the inspector therefore clearly held significant enough value to include the format of the glazing as specifically important to the description of the heritage value of the property. It is therefore, inaccurate to state that simply replicating the frame appearance is automatically an acceptable compromise.

As I had mentioned in my previous comment, there are merits to the proposal. However, justification must be provided and evidenced that shows beyond refutation that there are no alternative options. As stated in the NPPF, it is not acceptable to take deliberate neglect of a property in a deteriorated state as justification for proposals to heritage assets. Whilst I am not suggesting that this is the applicant's intention, it does mean that difficulty in maintaining a property is very rarely acceptable as a justification for harm, particularly when Listed Building Owners have a due responsibility to ensure their properties are kept in good order. Again, it may well be the case that substantial alteration has taken place historically, but the building was recorded and listed in its current state (at least as relates to glazing) and so even minor forms of harm must be justifiable.

Some of the reasonings provided may well be acceptable, but there is no evidential basis for any of the claims of justification that have been made. Others, such as compliance with Building Regulations, or safe operation of windows are not considered material at all, as exemptions from BR requirements on grounds of heritage conservation are possible and common, and it is the duty of the property owner to maintain and conserve their property in a manner which ensures its continued safe operation. There is nothing inherently stopping a single glazed window from operating like any other in regard to opening, and operating etc.

Various aspects of the assessment of alternatives (secondary glazing) are also immediately refutable, such as security, ventilation, Internal appearance and maintenance. There is no evidence to show that the retention of the existing format with secondary glazing would be harmful to security, or ventilation. With regard internal appearance, the counter argument here is that you would be sacrificing external appearance for internal appearance in a manner which Historic England

guidance itself confirms as less impactful, and as previously discussed, ease of maintenance is not a material consideration when it remains a building owner's responsibility.

In short, justification has been provided, but nothing about said justification is either clear or convincing.

Moreover, typically for the replacement of windows on Listed buildings we require sectional drawings to be provided so that the actual qualities of the proposed windows can be accurately assessed. In this case, only relatively simple details have been provided and so it is not yet even possible to determine the acceptability of the replacements, notwithstanding the other concerns. If the case officer is minded to approve counter to my recommendations, it is absolutely vital that conditions be applied requiring the full details to be provided prior to installation.

Ecology Officer: No response received.

Cllr A C Tennant: No response received.

Cllr J Tyrell: No response received.

Cllr D J Wilkinson: No response received.

Long Sutton and District Civic Society: No response received.

Public Representations

This application has been advertised in accordance with the Development Procedure Order and the Council's Statement of Community Involvement. In this instance, no letters representations have been received from members of the public.

Key Planning Considerations

Development Plan

Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019 (SELLP), is the development plan for the district, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework, December 2024 (NPPF) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

There are no adopted Neighbourhood Plans for the area within which the site is located.

The main issues and considerations in this case include the following:

-Visual and Heritage Impact; and
-Biodiversity Net Gain.

These matters are assessed in turn below.

Visual and Heritage Impact

Paragraph 135 of the NPPF states that new development should function well and add to the overall quality of the area (including beyond the short term) and should be visually attractive as a result of good architecture and appropriate landscaping.

Policy 2 of the Local Plan outlines sustainable development considerations for development proposals, providing a framework for an operational policy to be used in assessing the sustainable development attributes of all development proposals.

Policy 3 accords with the provisions of Section 12 of the NPPF, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

As the proposal seeks to install replacement windows with double glazing in place of the existing single paned windows, Paragraph 167 of the NPPF is also considered to be relevant:

"Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework."

The site is within Long Sutton Conservation Area and the building within the site is grade II listed, which are designated heritage assets. Section 16 of the NPPF sets out the importance of considering the impact of development on the significance of designated heritage assets; advising that development and alterations to designated assets and their settings can cause harm. These policies ensure the protection and enhancement of the historic buildings and environments. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance should be treated favourably.

Paragraph 212 of the NPPF sets out the following:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance".

Paragraph 215 of the NPPF further sets out the following:

"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

Policy 29 of the Local Plan sets out that proposals within a Conservation Area should preserve (and enhance or reinforce, as appropriate) features that contribute positively to the area's character, appearance and setting. Policy 29 also sets out that proposals affecting the setting of a listed building will be supported where they preserve or better reveal the significance of the listed building.

Historic England's listing for the site sets out the following (list entry number 1204678):

"House, now club. Early C19. Red brick. Hipped slate roof. Single left lateral stack. Paired bracketed wooden eaves. 2 storeys, 3 bays. Central doorway 2 steps up with panelled door traceried fanlight, panelled reveal, pilasters and open pediment. Either side are single glazing bar sashes. 3 similar sashes above, that over the doorway being smaller. All sashes with flush wedge lintels."

The building forms part of the established streetscape along West Street and contributes positively to the character of the area through its traditional brick construction, vertical emphasis, classical doorway and traditional sash window arrangement.

The building is now in use as Churchills Bar which is a public house, bar and function venue which serves the local community.

Currently, the principal elevation of the building includes vertically proportioned sash window openings set within the brickwork, with a central entrance and classical surround. The existing windows are traditional timber sliding sash windows and contribute to the appearance of the building.

The current application seeks to replace 9 of the windows within the building with timber sliding sash windows with matching arrangements and proportions. The replacement windows would be double glazed with slimline units, toughened safety glass and traditional sash weights, cords and pulley mechanisms. According to the heritage statement the proposed replacement windows will:

- retain the traditional vertical sliding sash design;
- match the existing opening sizes, proportions and sash arrangement;
- be constructed from Accoya modified timber for durability and stability;
- include traditional lead sash weights, cords and pulley mechanisms;
- be factory finished in a painted finish, RAL 9016 Traffic White; and
- use slimline 14mm double glazed units with toughened glass.

Therefore, it is considered that there would be similarities between the existing and the replacement windows.

Notwithstanding this, the council's conservation officer has raised concerns with the proposed replacement of the windows. For example, the windows are considered to be an important aspect of the building given that they were specifically mentioned in Historic England's listing for the site. At the time of listing in 1987, the inspector clearly held significant enough value to include the format of the glazing of the windows as specifically important to the description of the heritage value of the property. Replicating the frame appearance is, therefore, not automatically an acceptable compromise.

The conservation officer has referred to the latest guidance from Historic England within Historic England Advice Note 18 (HEAN18) which sets out that double glazed windows can be acceptable, but only where the windows are not important or integral to the overall special interest and character of the listed building (Section 82). The officer sets out that as the windows are identified as a feature within Historic England's listing of the site and they appear to be of a traditional and perhaps original design and construction, the officer has set out concerns with the replacement of the windows with double-glazed panes. The officer has identified 'less than substantial' harm as a result.

As set out previously, where less than substantial harm is identified, it is necessary to consider whether there are public benefits that outweigh the level of harm that would result.

There is no definitive list of public benefits and such benefits might be specific to a certain proposal. The NPPG does provide some examples though as set out below (Paragraph: 020 Reference ID: 18a-020-20190723):

"Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- sustaining or enhancing the significance of a heritage asset and the contribution of its setting;
- reducing or removing risks to a heritage asset; and
- securing the optimum viable use of a heritage asset in support of its long term conservation."

The officer's concerns have been discussed with the applicant's agent, and the agent has been given the opportunity to provide further information to try to address the officer's concerns. As such, an amended heritage statement has been provided and the conservation officer has been re-consulted.

The following public benefits have been identified within the heritage statement:

- improved safety for users of a public bar, function room and community venue through the use of toughened glazing in low-level openings;
- improved security of a commercial and community facility;
- improved thermal performance, reduced heat loss and improved comfort for customers and staff;
- support for the continued viable use of the building as an active community facility;
- reduced long-term maintenance burden and improved durability through high performance timber construction;
- retention of the traditional sash appearance and contribution to the street scene; and
- a coherent long-term intervention that avoids repeated piecemeal repair to failing window

elements.

It is considered that some of the above referenced benefits overlap one another

The conservation officer has set out that they do not consider that the benefits cited within the submitted documents are sufficient. For example, the key benefits referenced by the conservation officer include improving the energy efficiency of the building and ensuring the continuing viable use of the site as a pub. The officer does also acknowledge that some public benefits might be identified given that the site is a club and public house, meaning that this site is essentially in use as a community asset; however, they considered that insufficient information had been provided to clearly demonstrate this.

The officer considers that insufficient information has been provided to demonstrate if alternative options could be pursued to minimise the harm to the Listed Building, such as the installation of modern secondary glazing.

According to the heritage statement, a repair-led approach has been considered but discounted due to the extent of repair that is required, and repair works would not address key issues that would persist if the windows are not replaced. For example, replacement windows would not weather as quickly as repaired windows or address other concerns such as safety concerns and ventilation issues. The statement sets out the "Piecemeal repair would not resolve the underlying performance, safety and security issues and would likely result in continuing intervention to the same elements over a relatively short period."

The conservation officer considers that this represents insufficient justification as ease of maintenance is not a material consideration as it is the building owners' responsibility to ensure ongoing maintenance.

In terms of safety concerns, several of the ground floor windows have relatively low cill heights. According to the heritage statement, glazing below 800mm is generally identified as a "critical location" for impact safety under Approved Document K (Section 5). Within this area, glazing should either break safely, resist impact or be suitably protected and single glazing generally cannot accommodate this. Toughened safety glass is presented as a proportionate response to a safety issue in a public building as low-level glazing is more likely to be exposed to accidental impact by customers, furniture movement and general public use. Furthermore, some of the windows face onto a public footpath. Whilst it is accepted that the building's use as a public house could increase the risk of breakage, the glazing level appears to be above 800mm based on a review of the elevation plans (approximately 1m on the front elevation and 1.7m on the side elevation). Notwithstanding this, the concerns are acknowledged and have been taken into account.

Furthermore, the heritage statement suggests that single glazed windows present a risk in terms of being easier to break into than double glazed windows. It is considered that insufficient evidence has been provided to demonstrate how single glazing increases the risks of break-ins.

In terms of the conservation officer's suggestion that secondary glazing be considered, section 8 of the statement sets out how alternative options have been considered. For example, introducing a second internal layer can complicate day-to-day opening, reduce ease of ventilation, and increase the risk that windows are left closed or are not operated as intended. The external windows would still need to be repaired and maintained if secondary glazing is installed and as such, this would add to the ongoing operating costs of running the pub. Whilst these concerns are noted, it is not considered that these concerns represent there is limited evidence to show that the retention of the existing format with secondary glazing would be harmful to security or ventilation.

The heritage statement sets out that the replacement of the windows with safety glass reduces a potential risk to the public that is posed by the retention of single glazing which when broken can break into more hazardous pieces than more modern safety glass. Whilst the risk of window breakage is unclear, it is nonetheless considered that this could offer a public benefit, particularly given some of the windows are adjacent to a public footpath.

One of the key benefits that is offered by the proposed replacement is improved energy efficiency which should help reduce the running costs of the pub and improve the comfort of customers which could make the venue more attractive to users in future, or at least help sustain existing customer numbers. Whilst specific figures have not been provided, it is evident that the replacement of single glazing with double glazing will likely reduce heating costs.

As set out previously, LPAs are expected to give 'significant weight' to the need to support energy efficiency, as identified by Paragraph 167 of the NPPF; however, this also needs to be weighed against the requirements of Section 16 of the NPPF.

The proposal fails to achieve the aims of Policy 29 of the Local Plan by removing traditional materials from the Listed Building, resulting in less than substantial harm. In this case, it is considered that the public benefits would not outweigh the level of harm that has been identified. As such, the proposal conflicts with Policies 2, 3 and 29 of the Local Plan and Sections 12 and 16 of the NPPF.

Biodiversity Net Gain

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021) requires developers to deliver a minimum of 10% Biodiversity Net Gain using standardized biodiversity units measured by statutory biodiversity metrics. This is often referred to as the mandatory requirements for Biodiversity Net Gain.

"Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat. This increase can be achieved through onsite biodiversity gains, registered offsite biodiversity gains or statutory biodiversity credits".

The biodiversity gain condition is a pre-commencement condition. This relates to a condition that seeks, once planning permission has been granted, a Biodiversity Gain Plan that must be submitted and approved by the planning authority before commencement of the development, alongside the need to submit a Habitat Management and Monitoring Plan.

The effect of Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission is deemed to have been granted subject to the "biodiversity gain condition".

The effect of this "biodiversity gain condition" is that development granted by this notice must not begin unless:
(a) a Biodiversity Gain Plan has been submitted to the planning authority, and
(b) the planning authority has approved the plan, or
(c) the development is exempt from the biodiversity gain condition.

When taking the above into account, the development in this instance the application is exempt from the statutory 10% Biodiversity Net Gain requirements as the proposal falls under the de minimis exemption.

Planning Balance

As detailed above, Section 38 (6) of the Planning and Compulsory Purchase Act 2004, as amended, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

It is considered that the proposal would conflict with Policies 2, 3 and 29 of the Local Plan and Section 16 of the NPPF as a result of the harm that would be caused to the Listed Building within the site through the replacement of the traditional windows that are currently in place. The conservation officer considers that the harm would be less than substantial, albeit at the higher end of the scale. The public benefits presented by the applicant have been considered; however, it is not considered that a convincing justification has been presented of the public benefits in order to outweigh the less than substantial harm. As such, the proposal conflicts with Paragraph 215 of the NPPF.

There are significant material considerations that weigh against the proposal and as such, the planning balance is against the development.

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.

Conclusion

Taking these factors into consideration, the proposal is considered to conflict with Policies 2, 3 and 29 of the Local Plan, Sections 12 and 16 of the NPPF and the Planning (Listed Buildings and Conservation Areas Act) 1990. There are no significant factors in this case that would outweigh the harm of the proposal; therefore, the planning balance is against the proposal.

Recommendation

Based on the assessment detailed above, it is recommended that the proposal should be refused under delegated authority.