DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0225-23**	**Applicant:**	**Ms T Jeffs**
Proposal:	Removal & Replacement of Third Floor Window		
Location:	Brooklyn House 6 High Street Moulton		
Terminal Date:	21st July 2023		

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 2023

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This listed building consent application is for the removal and replacement of a third floor window at Brooklyn House, 6 High Street

Site Description

Brooklyn House is a grade II listed property situated on the central green within the historic village of Moulton. This property is within a highly prominent and characterful section of the Moulton Conservation Area (MCA)

Historic England Describes the property like so:

"House with attached stable block. c.1825. Red brick with painted stucco dressings. Concrete tiled roof with stone coped gables, wooden cornice, gable stacks, that to the right truncated. 2 storeys and attic, 2 bay front with first and second floor broad stucco bands. Doorway to the right with semi-circular stucco head, raised key and imposts, fanlight and panelled door. 3 light plain sash to left, with 2 glazing bar sashes above, all with stucco wedge lintels with keystones. Segmental headed dormer with glazing bar casement. Attached to the right, set back, is a brown brick stable block with giant order corner pilasters. Large carriage archway with basket arch, voussoired lintel with continuous imposts, partially glazed plank doors and overlight."

The area is characterised mainly by C18th-C19th residential development, the open green space of the village green adjacent and the imposing, Grade I listed Church of All Saints which is situated within close visual range of the host property.

History

H13-0192-08

Proposed two-storey extension and detached garden store. Approved on 16-09-08.

H13-0449-23

Erection of Domestic Outbuilding/Cabin. Approved on 27-07-23.

Consultation Responses

None.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of the heritage asset by this application.

The applicant seeks to replace the 3rd floor dormer window with a double-glazed, individual panel glazed side opening dual casement windows, in a like for like manner. Double glazing is not traditional, however, it is proposed to use heritage graded double glazing and the proposal covers only the 3rd floor window, which is placed far above close visual inspection. Additionally, the applicant proposes to use genuine glazing bars which are the authentic form of construction.

Outwardly the appearance of the listed asset would not be altered by the proposal. As such, via a lack of an appreciable impact, the proposal is deemed to assist in conserving the historic environment, particularly as it ensures the replacement of a visibly damaged, rotten timber window with a fresh, and materially appropriate and authentic unit.

Residential Amenity

The proposal does not seek to create any new window openings or apertures and the proposal seeks no dimensional alterations to the exterior of the property. As such, this application does not pose a risk of additional generation of material overlooking or overshadowing of any neighbouring residential properties.

Conclusion

For the above reasons, 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 National Planning Policy Framework (2023). 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.