DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H13-0261-19**	**Applicant:**	**Moulton Community Association (C10)**
Proposal:	Proposed works including replacement/refurbishment of windows		
Location:	Village Hall & Community Centre Broad Lane Moulton		
Terminal Date:	1st May 2019		

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 2019

NPPF 2019.

Paragraph 11.

Section 16.

Representations:

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

CASE OFFICER ASSESSMENT

Background

The case officer has visited the site and has been involved with on-site meetings.

In considering any development in relation to historic buildings, the local authority has to assess its

historic significance against other issues such as its function, condition or viability.

The application is submitted by an applicant who wishes to retain the use of the building as a community use, it is considered that this is a positive material factor in determining this application.

Proposal

Proposed works including replacement/refurbishment of windows.

Site Description

Village Hall & Community Centre, Broad Lane, Moulton, the buildings are not listed but are designated as being of local heritage value.

The site is adjacent to Hazeledene House and opposite Harrington House both of which are Grade II listed buildings and the site is within the Moulton Conservation Area.

History

None relevant.

Consultation Responses

None received.

Representations

No resident comments received.

Planning Considerations

The Development Plan

South East Lincolnshire Local Plan - Adopted: March 2019
Policy 01 Spatial Strategy
Policy 02 Development Management
Policy 03 Design of New Development
Policy 17 Providing a Mix of Housing

Key Policy:

Policy 29: The Historic Environment

Policy 29 states that "Distinctive elements of the South East Lincolnshire historic environment will be conserved and, where appropriate, enhanced"

These proposals rescue and conserve the historic significance of the relevant Heritage assets and are compliant with Policy 29.

If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, Section 38 (6) to the Town and Country Planning Act as amended by the 2004 Act states that the determination must be made in accordance with the plan unless material considerations indicate otherwise.

National Guidance

National Planning Policy Framework (NPPF), Feb 2019

Paragraph 11 - The presumption in favour of sustainable development
Section 16 - Conserving and enhancing the historic environment

Planning Practice Guidance (PPG), 2014

The proposals are considered to comply with all local and national guidance and policy.

The key material issues for considerations in this application are:

- The impact of development upon the Heritage Asset that is the adjacent Grade II Listed Buildings, Conservation Area and designated buildings of local heritage value.
- Any other issues;

The impact of development upon the Heritage Asset

The proposal to retain timber on the main windows on the frontage of the buildings and UPVc on smaller windows on the side and at the rear is appropriate in meeting the applicants needs while protecting the Heritage assets - the applicant has submitted a detailed supporting statement setting out the justification for this approach.

The works are justified and necessary and will help ensure important buildings continue to provide Community uses which is the best way to retain the historic nature of the buildings.

The proposed works are designed to be in keeping with the visual qualities of the exterior of the buildings and are appropriate and acceptable, and will have a minimal adverse impact upon any sensitive or listed heritage assets.

Any other issues including the impact of development upon neighbouring amenity

There is not considered to be any adverse or material impacts upon the amenity of any neighbouring properties or any other interests of acknowledged importance and there is no likely loss of amenity.

Conclusion

The works are justified and necessary and will enhance and maintain the quality of the building for its long term viability and will preserve the visual qualities of the exterior and will have a minimal impact upon the fabric of the building. It is recommended that Planning Permission is granted:

Recommendation: APPROVE

Additional Considerations

Public Sector Equality Duty
In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.