

DECISION DELEGATED TO HEAD OF PLANNING

Application No:	H13-0449-23	Applicant:	Ms T Jeffs
Proposal:	Erection of Domestic Outbuilding/Cabin		
Location:	Brooklyn House 6 High Street Moulton		
Terminal Date:	7th 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 2021**

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

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
MATTHEW ADAMS - HISTORIC ENVIRONMENT OFFICER	0	0	0	1
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This Planning Application is for the erection of a domestic outbuilding/cabin within the rear garden of Brooklyn House, 6 High Street, Moulton

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.

Consultation Responses

Lincolnshire County Council Historic Environment Officer

The site lies in an area of archaeological potential associated with the medieval and post-medieval development of Moulton as recorded on the Lincolnshire HER (MLI20351). Development ground works in this area have the potential to disturb surviving archaeological remains.

The plot is likely a part of surviving medieval burgage plot in the centre of the settlement. Core activity would have been along the frontage with the potential for 'back yard' activity to the rear. The current building will have replaced earlier post-medieval and medieval structures.

Recent archaeological monitoring to the west of the site at 3 Shivean Gate did not record the presence of significant archaeological remains.

The proposal is to construct a domestic outbuilding/cabin at the north end of the garden. The footprint is relatively small and there will be limited intrusive groundwork associated with its construction, other than to connect the foul drain to existing services.

On balance, the development is unlikely to encounter significant archaeological remains and no further archaeological input is necessary for this application. However, if the development plans change, especially in regard to the scale of the cabin and level of intrusive groundwork, I would welcome the opportunity to review this advice

Lincolnshire County Council as lead local highways and flood authority

No objections

South Holland Internal Drainage Board

Having screened the application, whilst the site in question lies within the Internal Drainage District of the South Holland Internal Drainage Board the proposed application does not meet our threshold for commenting as per our Planning and Byelaw Strategy. Therefore the Board has no comments to make.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk of harm to any associated heritage assets. This is because the outbuilding proposed would be situated at the end of a considerably long garden, such that the degree of visual separation mitigates any negative effect that such a structure may bear upon the rear visage of the listed host property. Furthermore, neighbouring properties feature near-identical structures in similar positions, such that this structure could be reasonably considered to be part of an immediate setting which already features others of its type. Furthermore, the proposed structure is small and would therefore easily be considered to be diminutive both to the host property and also within the host plot/garden. In addition, due to the existing boundary treatments and the form of built development in this immediate setting, the proposed structure would be entirely shielded from public realm views within the MCA, meaning that it would bear no impact upon that asset.

For the reasons listed above, this application is deemed to assist in conserving the historic environment, due to the lack of an impact. Therefore, the application is in accordance with Section 16 of the National Planning Policy Framework (2021).

Residential Amenity

The Local Planning Authority does not consider there to be any risk presented to local residential amenity. The proposed structure is single storey in nature and would feature no above-ground-floor windows. Therefore, there is no enhanced risk of material overlooking or overshadowing presented by this proposal.

Conclusion

For the reasons outlaid above, 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 NPPF. Therefore, the recommendation is to approve.

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.