DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H12-0199-21**	**Applicant:**	**Lutton Parish Council**
Proposal:	Erection of New War Memorial		
Location:	Village Green Richard Busby Way Lutton		
Terminal Date:	29th April 2021		

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

Sections 12 and 16 of the National Planning Policy Framework (2019)

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
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1
TIM MACHIN CHAIRMAN LONG SUTTON AND DISTRICT CIVIC SOCIETY	0	1	0	0
RESIDENTS	1	1	0	0

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the erection of a war memorial at the Village Green in Lutton. The proposed war memorial would be a marble 4-sided obelisk 1m in height, and 0.39m in width, with a 1.2m wide square plinth at the base.

Each side of the obelisk will be inscribed with memorial text in honour of the 6 victims and 2 survivors of the crashing of an American B-17G Flying Fortress at North Drove, Lutton on April 26 1945.

Site Description

Lutton Village green is large, mostly unwooded green in the village centre of Lutton. The green is surrounded by residential development of various periods, including a number of listed properties. The Grade I listed Church of St Nicholas is also visually adjacent to the site, as well as the existing war memorial. The village green is used as a communal amenity space.

History

None Relevant

Consultation Responses

Resident Objections

A single resident objection was received. The content of that objection can be summarised like so:

-The subject of the memorial is irrelevant to the location, and therefore the village and its people.
-The village already has a memorial, another is not required.
- It would be an eyesore.
- It would be a waste of money and resources.

Long Sutton and District Civic Society

Supports the proposal and believes that the location minimises impact whilst maximising visitor access.

Lincolnshire County Council Historic Environment Record

The proposal site is within an area of archaeological interest, but the proposal is unlikely to require substantial ground works and therefore, will have no archaeological impact. Additionally, the proposal will help to better reveal the area's historic significance in line with the objectives of Section 16 of the National Planning Policy Framework (2019)

Lincolnshire County Council Lead Local Highways and Flood Authority

No objections.

Planning Considerations

Resident Objections

To address the objections of the local resident, each unique point will be examined and answered in turn, below:

-The relevance of the location of the memorial is not a material planning concern. However, in examining the proposal's contribution to the objectives of Section 16 of the National Planning Policy

Framework (2019), the Local Planning has determined that as the crash site is less than a mile away from the proposal site, and by a large margin is the nearest settlement, that this proposal site is an appropriate location for such a memorial in order to contribute to a widening of the understanding of the area's history.

-The fact that the village already has a war memorial is not a material planning concern. However, it is noted that the existing memorial in Lutton is dedicated to the fallen of WW1. The proposed memorial is dedicated to a specific event within WW2.

-The local planning authority does not consider the proposals to represent an eyesore. The proposed memorial is small in stature, tastefully and sympathetically designed, would not be incongruous in its setting and will not significantly impact upon the usable amenities of the village green.

-Fiscal matters relating to the affordability of a proposal or the allocation of funds and materials are not planning concerns.

Heritage Impact

The Local Planning Authority does not consider there to be any risk to the historic environment, as the proposal will compliment its surroundings visually and will not have a negative character effect upon any of the it is determined that it will not have a detrimental effect on the character of the area, including it's historic surroundings. Furthermore, it is concluded that by virtue of the proposal's purpose - to better expose and wider knowledge of an historic event, it fits fully into the criteria set forth within Section 16 of the National Planning Policy Framework (2019). Because of it's complimentary design and meaning, it is also determined that this proposal helps to enhance the Historic Environment, making it compliant with sections 12 and 16 of the National Planning Policy Framework (2019)

Planning Balance

The local planning authority has discovered no reasons to refuse this application and therefore there is nothing to balance the proposition against.

Conclusion

For the reasons listed above, it is determined that this application is 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 (2019). 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.