DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H13-0267-22**	**Applicant:**	**Moulton Parish Council**
Proposal:	Siting of Beacon		
Location:	Moulton Harrox Society Broad Lane Moulton		
Terminal Date:	4th May 2022		

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 2021

Section 12 - Achieving well-designed places
Section 16 - Conserving and enhancing the historic environment

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

PROPOSAL

Full planning permission is sought for the siting of a Jubilee Beacon on an area of grassed land to the north-west of the Moulton Community Centre. It would have an overall height of approximately 7.4 metres from ground level.

SITE DESCRIPTION

The site is located on the northern side of Broad Lane in Moulton, within the Moulton Conservation Area. It is occupied by the existing village hall and associated car park with recreation ground/play areas to the rear. To the east and south of the site are residential dwellings.

RELEVANT HISTORY

No relevant planning history.

REPRESENTATIONS

Conservation Officer

No objections.

PLANNING CONSIDERATIONS

Character/Appearance

Paragraph 130 of the National Planning Policy Framework (NPPF), 2021 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations.

Likewise, Policy 2 of the SELLP, 2019 goes on to say that considerations shall be met about size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses. In this regard, Policy 3 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed beacon would appear as a relatively minor feature and would be largely blocked from the public realm by existing buildings and trees. There may be glimpsed views given its height, however, it would not appear overly prominent or unacceptable in the street scene due to the distance from the road, and it is comparable in height to a streetlight. The Conservation Officer also hasn't raised any objections from a heritage perspective.

As such the development would accord with Policies 2 and 3 of the South East Lincolnshire Local Plan, 2019 and the NPPF.

Impact on Residential Amenity

Paragraph 130 of the National Planning Policy Framework (2021) amongst other matters seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The closest neighbour is no.9 Broad Lane located to the west of the application site. The proposed beacon would be sited approximately 11 metres from the shared boundary with this neighbour. Given this and the minor nature of the proposal, it is not considered to result in any unacceptable impact on neighbouring amenity. Furthermore, the beacon will be sufficiently distanced from neighbouring dwellings and vegetation such as to not create a safety issue.

As such the proposal would accord with Paragraph 130 of the National Planning Policy Framework (2021) and Policies 2 and 3 of the South East Lincolnshire Local Plan (2019).

Planning Balance

The proposal would not unacceptably impact the overall character of the area or impact neighbouring amenity. The planning balance is therefore considered to be in favour of the proposal.

Conclusion

For the reasons listed above, this application is considered to be in accordance with Policies 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 (2021).

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.

RECOMMENDATION

That planning permission be granted under delegated powers.