

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H14-0018-23 **Applicant:** Revd D Sweeting

Proposal: Widening and extension of footpath including the extension of garden of remembrance

Location: St Bartholomews Church Six House Bank West Pinchbeck

Terminal Date: 18th April 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	1
WARD MEMBER	0	0	0	0
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the widening and extension of the existing footpath in order to create a garden of remembrance.

The works are due to take place on the Western end of the church and will extend a paved loop further to the west, incorporating the proposed garden and is to use 36" paving slabs which match those already used throughout the site.

Site Description

St Bartholomews Church is a Grade II listed parish church. Historic England describes the property like so:

"Parish church. 1848 by William Butterfield. Randomly coursed squared limestone with ashlar dressings, Welsh slate roof. Nave with western bellcote and chancel, south porch, north aisle, vestry. A tall stepped and gabled central buttress at the west end supports the gabled double bellcote. To either side of the buttresses single 2 light windows at high level, with trefoil heads to the lights, quatrefoil over, and shorter stepped buttresses. In the west end of the north aisle a 2 light Y traceried window, with 3 similar windows on the north side, and a buttress forming a chimney. In the east end of the aisle a cusped quatrefoil. In the north side of the chancel a single cusped lancet and a broad ashlar stack. In the east wall of the vestry a 2 light window and in the chancel a 3 light decorated window. In the chancel south wall a small high level pointed window, a pair of cusped lancets and a priest's door with low cusped head. In the south wall of the nave are 3 two light windows with cusped flowing tracery. Gabled south porch with double chamfered outer arch with pierced cusped head. Above 3 stepped ogee headed lancets. Interior. 4 bay nave arcade with double chamfered arches, octagonal piers and capitals. Above the nave arcade are painted angels bearing Allelulia banners. Double moulded chancel arch on corbels. East window of north aisle has scalloped rear arch. In the chancel a cusped pointed doorway to vestry. In the south wall a double sedilia with cusped ogee heads and a cusped pointed piscina. Fittings: all C19 including octagonal font."

The immediate setting is one of near-complete open countryside, although there is some ribbon development along Six House Bank, forming a loose concentration of C19th onward residential development.

Also on the site of the church is the parish hall which, whilst not individually listed is attractive in its own right, would be considered to be curtilage listed and could very easily be considered to be a non-designated heritage asset.

History

None.

Consultation Responses

Pinchbeck Parish Council

No objection

Lincolnshire County Council Historic Environment Officer

Due to the fact that archaeological investigations have taken place on the site previously and found nothing of interest, there is no archaeological input required with this application.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of the designated heritage asset. It is proposed to use paving slabs which match those which are already used on site, and the additional works only create a small loop extension to the existing footpath network. The proposal would not impact upon any existing graves or gravestones. Therefore, due to the lack of a perceivable impact upon the character of the site, it can be said that this application assists in conserving the historic environment via a lack of a material impact and by allowing greater public use of the site for its intended purpose.

Conclusion

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.