

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H22-0393-23 **Applicant:** Weston Parish Council
Proposal: Erection of Coronation Beacon - Retrospective
Location: Weston Park Small Drove Weston
Terminal Date: 10th October 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

Section 12 - Achieving well designed places

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
SHDC INTERNAL	0	0	1	0

CASE OFFICER ASSESSMENT

Proposal

This is a full application seeking permission for the erection of a coronation beacon (retrospective) at Weston Park.

Site Description

The site lies within the settlement boundary of Weston as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP). The site is accessed via a narrow road and features a variety of mature trees throughout with a play area and buildings.

History

H22-1300-99 - Change of use to provide village playing field - Approved

H22-1300-01 - Change of use to village playing field, including new vehicular access in south western corner - Approved

H22-1342-02 - Details of hedging along western boundary (Condition 3 of H22/1300/01) - Approved

H22-0325-03 - Details of toddlers play area, other equipment and surfacing (Condition 6 of H22/1300/01) - Approved

H22-0198-04 - Details of toddlers play area, equipment, and surfacing (Condition 6 of H22/1300/01) - Approved

H22-0564-07 - Proposed changing room facility - Approved

Consultation Responses

Lincolnshire County Council Highways

No objection.

South Holland District Council Environmental Protection

No comments.

Evaluation

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

In this case, the adopted South East Lincolnshire Local Plan 2011-2036, adopted March 2019, forms the development plan for the District, and is the basis for decision making in South Holland. The relevant development plan policies are detailed within the report above.

The policies and provisions set out in the National Planning Policy Framework (updated 2023) are also a material consideration in the determination of planning applications, alongside adopted Supplementary Planning Documents.

Planning Considerations

Layout, Design and Consideration of the Character and Appearance of the Area

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. Likewise, Policy 2 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. Furthermore, Policy 3 accords with the provisions of Section 12 of the National Planning Policy Framework, in that it requires development to comprise good design; identifying issues that should be considered when preparing schemes so that development sits comfortably with, and adds positively to, its historically-designated or undesignated townscape or landscape surroundings.

The wooden post would measure at 6200mm and approximately 1800mm into the ground. The width at the bottom the metal section would be 920mm and it gets wider towards the top coming in at 1400mm with a total height of 1230mm. 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.

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/Land Users

Paragraph 130 of the National Planning Policy Framework (2023) states that development should 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. Policy 2 of SELLP (2019) states that proposals requiring planning permission for development will be permitted provided that considerations are met, specifically in relation to impact upon neighbouring land uses by reason of noise, odour, disturbance or visual intrusion, among others. Likewise, residential amenity is one of the factors to take into account when designing new development in accordance with Policy 3 SELLP (2019).

The proposed beacon would be sited over 100m from any residential dwelling. Given this and the minor nature of the proposal, along with intervening trees, 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).

Highway Safety

Given its location away from any road, the proposed beacon is not considered to unacceptably impact highway safety. The Local Highway Authority has also not objected to the proposal.

Planning Balance

As detailed above, Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, requires that the Local Planning Authority makes decisions in accordance with the adopted Development Plan, unless material considerations indicate otherwise.

The proposal represents appropriate development within the defined settlement boundary. The development hereby proposed does not materially harm the character or appearance of the locality, or amenity of nearby residents, and provides adequate parking, whilst conforming with the South East Lincolnshire Local Plan and the provisions of the National Planning policy Framework when viewed as a whole.

Conclusion

Taking the above considerations into account, the proposal is considered to be in accordance with Policies 2 & 3 of the SELLP, along with the identified sections contained within the National Planning Policy Framework (NPPF) (2023). There are no significant factors in this case that indicate against the proposal and outweigh the consideration in favour of the proposal and the policies referred to above.

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

The recommendation is for a delegated approval.