



**SOUTH
KESTEVEN
DISTRICT
COUNCIL**

Planning Committee

28 October 2020



S20/0311

Proposal: Erection of war memorial
Location: Main Square, Market Deeping
Applicant: Mr Tom Johnson, Rotary Club of The Deepings, 107 South Bank, Tallington Lakes, Tallington, Lincolnshire
Agent:
Application Type: Full Planning Permission
Reason for Referral to Committee: Request by Cllr Baxter on the grounds on visual amenity and impact on the Conservation Area.
Key Issues: Impact on Conservation Area and adjacent Listed Buildings

Technical Documents: None

Report Author

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Corporate Priority:

Growth

Decision type:

Regulatory

Wards:

Market and West Deeping

Reviewed by:

Phil Jordan, Principal Planning Officer

9 October 2020

Recommendation (s) to the decision maker (s)

That the application is approved conditionally

S20/0311 Main Square, Market Deeping



Key



Application
Boundary



1 Description of Site

1.1 The application site is located on the north side of Market Place at its junction with Church Street, within the Market Deeping Conservation Area. The site is on an area of pavement to the west of a car park and is currently occupied by a planter with a hexagon seat around it. To the north of the application site are two and three storey Listed buildings that are used for a variety of commercial uses.

2 Description of proposal

2.1 To erect a war memorial, 1.87 metres high, finished in polished Karin Grey Granite, in the shape of a Celtic Cross. The memorial will not be inscribed with any names.

3 Relevant History

3.1 No relevant planning history

4 Policy Considerations

4.1 SKDC Local Plan 2011 - 2036

Policy DE1 - Promoting Good Quality Design

Policy EN6 - The Historic Environment

4.2 National Planning Policy Framework (NPPF)

Section 7 - Ensuring the vitality of town centres

Section 12 - Achieving well-designed places

Section 16 - Conserving and enhancing the historic environment

5 Representations Received

5.1 Parish Council

5.1.1 The Town Council has previously supported this proposal in principal. However, the Town Council consider that:

- the proposed style and material used would not be in keeping with the surrounding architecture and built environment,
- the size and scale of the proposed monument would result in a cluttering up of the walkway,
- there is insufficient space to allow for the proposed monument to be used for public gatherings; and
- the proposed installation would result in the loss of a town centre seating amenity.

5.2 Lincolnshire County Council Highways & SuDS Support

5.2.1 No objection, a licence will be required for the placing of a structure within the highway.

5.3 Historic Buildings Advisor (SKDC)

- 5.3.1 These proposals were the subject of informal pre-application discussions and involves the installation of a granite wall memorial on the footpath, in front of the Grade II Listed Town Hall and nos.5 & 7 Market Place where there are at present a Listed K6 telephone kiosk, public seating and planter and information board.
- 5.3.2 Given that the proposal will affect both the setting of several Listed buildings and the Conservation Area, the application should be accompanied by a Heritage Impact Assessment (HIA) in accordance with paragraph 189 of the NPPF.
- 5.3.3 That said, the Memorial would comprise a 990mm high Celtic cross in polished, grey granite on a plinth and base. There is already a clutter of items of street furniture in this part of the footpath, although both a planter and seating will be repositioned according to information on the application form.
- 5.3.4 It seems odd that the memorial will not include inscriptions. Without lettering how will it be known that the cross is a memorial to the fallen?
- 5.3.5 Whilst I would not wish to oppose the erection of a memorial in the town centre to commemorate local citizens who have given their lives in the service of their country, I am concerned about the appropriateness of the proposed location and, to a lesser extent, I concur with the Town Council's comments on the material. There is already an abundance of street furniture in this area that detracts not only from this part of the Conservation Area but also the setting of several nearby Listed buildings.

6 Representations as a Result of Publicity

- 6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and one representation has been received. The points raised can be summarised as follows:
1. I do not object to a War Memorial as such, but I do object to yet another War Memorial.

7 Evaluation

7.1 Principle of development

- 7.1.1 Para 85 of the National Planning Policy Framework (NPPF) states that planning decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation.
- 7.1.2 Local Plan Policy DE1, Promoting Good quality Design states:

'all development proposals will be expected to:

- a) Make a positive contribution to the local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact

on the streetscene, settlement pattern or the landscape / townscape character of the surrounding area. Proposals should be of an appropriate scale, density, massing, height and material, given the context of the area;'.

7.1.3 Similarly, para 127 of the NPPF states that planning decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) 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.

7.1.4 As the proposed memorial would occupy a small area of existing pavement, there would be only minor impacts on the way in which the open space currently functions. In this instance the proposed development is small scale and the principle of installing a commemorative memorial within this space in the town centre is acceptable and appropriate for the surrounding context in accordance with Local Plan Policy DE1 and the NPPF (section 7 and 12), subject to further considerations set out in the remainder of the report.

7.2 **Impact on Heritage Assets and the Character of the Area**

7.2.1 Policy EN6 of the Local Plan, The Historic Environment, states:

The Council will seek to protect and enhance heritage assets and their settings in keeping with the policies in the National Planning Policy Framework. Development that is likely to cause harm to the significance of a heritage asset or its setting will only be granted permission where the public benefits of the proposal outweigh the potential harm. Proposals which would conserve or enhance the significance of the asset shall be considered favourably. Substantial harm or total loss will be resisted.

- 7.2.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority to pay special regard to the desirability of preserving listed buildings and their setting. Section 72 of the same Act requires decision makers, with respect to any buildings or other land in a conservation area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.
- 7.2.3 The importance of considering the impact of new development on the significance of designated heritage assets is expressed in section 16 of the NPPF. Paragraph 194 of the NPPF advises that the significance of designated heritage assets can be harmed or lost through alterations or development within their setting.
- 7.2.4 In assessing the potential impact of the scale and proposed materials of the memorial on the setting of the adjacent Grade II listed building to the north side of the Market Place, the Council's Conservation Officer has been consulted and comments that whilst they would not oppose the erection of a memorial in the town centre they have concerns regarding the appropriateness of the proposed location and to a lesser extent the choice of material for its construction. They also consider that there is an abundance of street furniture in this area that detracts not only from this part of the Conservation Area but also the setting of several nearby Listed Buildings.
- 7.2.5 Due to the limited size of the proposed memorial and the final details of materials reserved by condition it is not considered that the memorial would harm the character of the area. The proposed memorial would be sited within existing structures and no closer to the Listed buildings than these existing structures. Notwithstanding any concern that has been raised, it is considered that the proposed scale and location of the memorial would ensure that the proposal would not have a detrimental impact on the setting of the Listed Buildings or the conservation area.
- 7.2.6 A condition has been included that requires the submission of samples of the final choice of materials of the proposed memorial before any installation works could commence. This would ensure the proposal is appropriate for the context and would not result in any harm to the character of the area or the setting of the nearby designated heritage assets in accordance with the above legislation and policies.
- 7.2.7 It is therefore considered that the appearance, layout and scale of the proposal would be acceptable and would not have a detrimental impact on the character and appearance of the area and street scene or the setting of the adjoining Grade II Listed Buildings and would comply with Local Plan Policies DE1 and EN6 and the NPPF (section 16).

7.3 **Highway and Traffic**

- 7.3.1 Lincolnshire county Council Highways have raised no objection to the proposal and advise that a licence would be required from the County Council for the placing of a structure within the highway.

7.4 **Other Matters**

- 7.4.1 Comment has been made about the proposed location and that there is insufficient space for the memorial to be used for public gatherings. The applicant has commented that in relation to the Remembrance Sunday Parade where currently councillors take the parade salute in the entrance to the car park in the square in front of the Town Hall as the parade marches past. Not only is this not really in keeping with the dignity of the event but some say they feel they are saluting the car park with a group of people (Councillors) looking on whereas they would know if councillors stood beside the memorial.

8 **Human Rights Implications**

- 8.1 Article 6 (Right to a fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making a recommendation.
- 8.2 It is considered that no relevant Article of the act will be breached.

9 **Conclusion**

- 9.1 In conclusion, it is considered that this proposal is appropriate for the surrounding context and would not have a detrimental impact on the appearance and setting of the nearby Listed buildings or the Conservation Area. The proposal would be in accordance with Local Plan Policies EN1 and E6 and guidance contained in the National Planning Policy Framework, (Sections 7, 12 and 16). There are no material planning considerations that indicate otherwise, and the proposal is therefore recommended for approval, subject to conditions.
- 9.2 **RECOMMENDATION: that the development is Approved subject to the following conditions**

Time Limit for Commencement

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

Reason: In order that the development is commenced in a timely manner, as set out in Section 91 of the Town and Country Planning Act 1990 (as amended).

Approved Plans

- 2 The development hereby permitted shall be carried out in accordance with the following list of approved plans:
- i. Block Plan received 25 February 2020
 - ii. Monument Plan received 25 February 2020

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

Before the development is commenced

- 3 Before any of the works on the memorial hereby permitted are begun, samples of the materials to be used in the construction of the memorial shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Before the development is brought into use

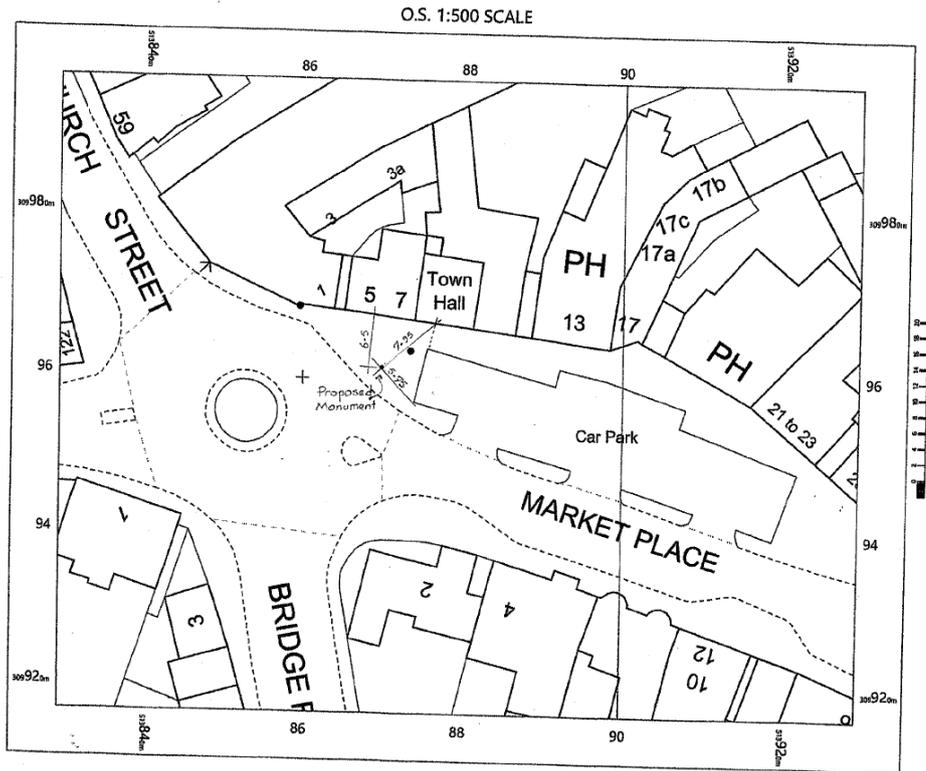
- 4 Before any part of the development hereby permitted is brought into use, the external surfaces shall have been completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

Standard Note(s) to Applicant:

- In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.

Block Plan



Monument details

