DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H09-0828-21**	**Applicant:**	**British Telecom**
Proposal:	Proposed alterations to elevations of building to provide additional ventilation		
Location:	British Telecom Telephone Exchange Barrington Gate		
Terminal Date:	28th September 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
30	Pollution

National Guidance

National Planning Policy Framework 2021

Section 12

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

This is a full application seeking permission for alterations to elevations of the building to provide additional ventilation. The alterations include removal of a pane of glass from a window on the ground floor northwest elevation. An aluminium louvre will be installed and fixed to the metal window frame. It is also proposed to remove a pane of glass from a window on the ground floor southeast elevation and install an aluminium cowl. The existing louvre in the panel below will be plated over, all as per submitted drawing and photos. The louvre and cowl will be a mill finish to

match existing louvres already installed in the building.

SITE DESCRIPTION

The application site comprises a telephone exchange building located on Barrington Gate in Holbeach. The site is accessed from between 29 and 33 Barrington Gate. The main building is located towards the rear and a smaller building is located on the site fronting Barrington Gate. Parking for the site is between the two buildings. The building to the front is red brick built and the main building to the rear is concrete built.

RELEVANT PLANNING HISTORY

No relevant planning history.

REPRESENTATIONS

Environmental Health

No objection but would wish to attach a condition restricting noise from fixed the plant and machinery to not exceed the background noise level by more than 5dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the applicant's ownership.

PLANNING CONSIDERATIONS

Layout, Design, Size and Scale

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 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 works are considered minor in relation to the existing building and would not considerably or unacceptably change the overall appearance of the building. In addition, the application site sits behind the properties fronting Barrington Gate therefore there are limited views of the building from the main public realms.

As such the proposed development would comply with the aforementioned policies on design, layout and impact upon the character of the local area.

Neighbouring amenity

Environmental Health has not raised any objections but has requested that a condition is placed restricting noise from the fixed plant and machinery to not exceed the background noise level by more than 5dB(A) when measured as a 15 minute L(A)eq at any residential boundary not within the applicant's ownership. The comments are noted and a condition is placed to this effect. As such it is not considered that any unacceptable impact would result on neighbouring amenity.

Planning Balance

The proposal will not materially harm the character or appearance of the locality or impact neighbouring amenity. The planning balance is therefore considered to be in favour of the proposal.

CONCLUSION

In light of the considerations above, the proposal is considered to be in accordance with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan (2019) and Section 12 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

The application can be approved under delegated powers.