DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H14-0643-22**	**Applicant:**	**Ark ICT Solutions Ltd.**
Proposal:	Details relating to cycleway/footway (Condition 3 of H14-1090-21)		
Location:	Land At Platts Close Pinchbeck Spalding		
Terminal Date:	23rd August 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details relating to cycleway/footway (Condition 3 of H14-1090-21).

Site Description

As host consent, although the building works are close to completion.

History

H14-1090-21 S73A CONTINUATION. Proposed headquarters building for IT company comprising offices, storage, coffee bar and ancillary facilities together with associated external works and slimline communications mast - approved under H14-0406-20. Modification to Conditions 2 to allow amendments to previously approved plans and Condition 5 relating to surface water drainage scheme. APPROVED 03-12-21.

H14-0406-20. Proposed headquarters building for IT company comprising offices, storage, coffee

bar and ancillary facilities together with associated external works and a slimline communications mast. Approved 28-07-20.

H14-0781-21. Details of external materials (Condition 3 of H14-0406-20). Approved 27-07-21.

H14-0906-21. Details of surface water drainage scheme (Condition 5 of H14-0406-20). Approved 29-09-21.

Consultation Responses

LCC Highways & SUDS

No objection.

Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) can confirm that the footway and cycleway works, required under Condition 3 of H14-1090-21 have been completed and that this Condition can therefore be discharged.

Pedals

No response received within consultation timeframe.

Planning Considerations

CONDITION 3

Prior to commencement of use of the development hereby permitted, the cycleway/footway on the Elsoms Way frontage of the site and the footway on the Platt's Close frontage of the site shall be completed in accordance with details that have previously been consented by the Local Planning Authority.

Reason: To ensure the provision of safe and adequate means of access to the permitted development.
This Condition is imposed in accordance with Policy 2 of the South East Lincolnshire Local Plan, 2019 and the provisions of the NPPF 2021.

This condition was imposed at the request of LCC, and as can be seen above, LCC raise no objection to the discharge of this condition, given the details that have been provided.

It is considered that the details submitted are sufficient to discharge the requirements of this condition.

Conclusion

Approve.

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.