DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-1097-19**	**Applicant:**	**Greggs plc**
Proposal:	Proposed air conditioning condenser units and two extract points		
Location:	Unit 4 Wardentree Lane Pinchbeck Spalding		
Terminal Date:	8th January 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio

National Guidance

National Planning Policy Framework 2019

Sections 6 & 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	1
WARD MEMBER	0	0	0	0
SHDC INTERNAL	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This is an full planning application for air conditioning condenser units and two extract points at Unit 4, Wardentree Lane, Pinchbeck. The proposal seeks to provide two middle level air condenser units in a security cage to the rear of Unit 4. The main extract grille will measure 0.4 metres by 0.4 metres and be sited 3 metres high to the rear of the unit. The toilet extract grille will measure 0.15 metres by 0.15 metres and be sited 3.245 metres above ground level.

Site Description

The site is within defined settlement limits and the surrounding area is characterised by industrial and commercial buildings of varying ages and designs. Unit 4 is the last unit on the western side of a small, currently not commenced, mixed use development that is sited adjacent to a roundabout of Wardentree Lane.

History

H14-1060-91

Full - Class B1 & B2 industrial distribution units & Class A1 food & non food retail dev with garden centre - Refused - 24 January 1992

H14-0304-92

Outline - Industrial development comprising classes B1, B2 & B8 including details of means of access - Appeal Withdrawn - 10 December 1992.

H14-1005-92

Outline - Industrial development comprising classes B1, B2 and B8 - Approved - 08 December 1992.

H14-0953-95

Outline - Industrial development comprising Classes B1, B2 and B8 (renewal of outline permission H14/1005/92) - Approved - 16 November 1995.

H14-1183-97

Full - Construction of new access road - Approved - 16 January 1998.

H14-0409-98

Advertisement - Two signs - Aluminium sign plaque mounted on free standing brick wall at site entrance - Approved - 12 June 1998.

H14-0863-98

Outline - Industrial development (renewal of H14/0953/95) - Approved - 18 May 1999.

H14-0468-02

Outline - Renewal of outline application for industrial development (application number H14/0863/98) - Approved - 07 June 2002.

H14-1125-03

Full - Erection of new vehicle showroom and workshops - Approved - 29 December 2003.

H14-0591-06

Full - Erection of 5 units to be used for B2 and/or B8 and/or B8 with ancillary showroom use and/or sui generis operations - Withdrawn - 31 July 2006

H14-1112-06

Full - Erection of five units to be used for B2 and/or B8 and/or B8 with ancillary showroom use and/or sui generis operations - Refused - 24 October 2006.

H14-1252-18

Full - Proposed mixed use development comprising of drive thro' coffee shop A3 use, cafe/hot food takeaway A3 use, A3 & A5 restaurants and D2 assembly and leisure (fitness centre) and/or B1, B2, B8 (trade counter) use - Approved - 02 July 2019.

H14-1098-19

Advertisement - Proposed signage - Currently undecided.

Consultation Responses

Pinchbeck Parish Council

Support

SHDC Environmental Health Technician

No objections.

Planning Considerations

- Impact on amenity

Impact on amenity

There is not considered to be an impact on neighbouring business or visual amenity from the siting of the units. There are sited in a fairly secluded position to the rear of the unit.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3 and 7 of the South East Lincolnshire Local Plan (2019) and Sections 6 and 12 of National Planning Policy Framework (2019)

A delegated approval is considered to be appropriate.

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.