DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H16-0403-22**	**Applicant:**	**Mr O Tookman**
Proposal:	Details of cycle racks, external materials and external doors & windows (Conditions 7, 11, 12 & 13 of H16-0368-18)		
Location:	1 Vine Street Spalding		
Terminal Date:	21st September 2022		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
29	The Historic Environment
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2021

NPPF 2021.

Representations:

	Object	Support	No Obj.	Comments
SHDC INTERNAL	0	0	0	1
OTHER STATUTORY BODIES	1	0	0	0

CASE OFFICER ASSESSMENT

Proposal

Details of cycle racks, external materials and external doors & windows (Conditions 7, 11, 12 & 13 of H16-0368-18).

The design of cycle rack has been changed since submission to Sheffield style racks.

Site Description

As described within host application. Works are ongoing on the wider renovation and extension of this property.

History

H16-1029-21 FULL. Alterations to retail space to form one residential apartment unit. APPROVED 13-12-21

H16-0017-19 CONDITION COMPLIANCE. Details of written scheme of investigation and construction management plan (Conditions 3 and 6 of H16-0368-18) APPROVED 05-03-19.

H16-0368-18. FULL Part demolition, conversion and extension of shop to provide reduced retail floor space and 8 residential units. APPROVED 07-08-18.

Consultation Responses

SHDC Conservation Officer

Given the nature of the building, I wish to raise no objections or comments on this proposal. The case officer should therefore proceed to consider this application in accordance with Policy 29 of the SELLP in addition to all other relevant policy and guidance considerations.

Pedals

Recommend the use of "Sheffield" type stands. The type proposed is likely to cause damage to the wheels of bicycles.

Planning Considerations

Condition 7

Prior to the commencement of the first use of the development hereby permitted an agreed number cycle racks shall be provided in the vicinity of the building of a design and in positions which shall be approved in writing by the Local Planning Authority.

The details provided show sufficient cycle parking for cycles, located beneath a balcony area which will give some protection to the facilities.

The revised details accord with Policies 2, 3 , 29 and 36 in this regard.

Condition 11

Before the commencement of the development hereby permitted beyond oversite a schedule of external materials of construction of buildings and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.

The submitted details are considered to be acceptable.

Condition 12

Details of the design of all external doors and door frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), threshold and lintol detailing, and means of opening. The doors and door frames shall be installed in accordance with the approved details and thereafter so maintained.

The design of the extension works are modern in design rather than traditional and a modern, simple approach is considered to be acceptable for this development.

Condition 13

Details of the window frames to be utilised in the development hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. Such details shall indicate, at a scale of not less than 1:10, the longitudinal and cross-sectional detailing (including reveals), cill and lintol detailing, and means of opening. The window frames shall be installed in accordance with the approved details and thereafter so maintained.

The design of the extension works are modern in design rather than traditional and a modern, simple approach is considered to be acceptable for this development.

Conclusion

The condition details are acceptable and would have a neutral impact on this part of the conservation area, given the modern approach approved for this development.

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.