DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0423-21**	**Applicant:**	**Saglar Ahmat**
Proposal:	Removal of existing unsafe ramp and construction of new ramp		
Location:	20-20a Unit 2 Westlode Street Spalding		
Terminal Date:	23rd June 2021		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
29	The Historic Environment

National Guidance

National Planning Policy Framework 2019

Sections 12 and 16 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This full planning application is for the removal of the existing timber ramp at 20-20A Unit 2, Westlode Street, Spalding. It is then proposed that this would be replaced using a brick-constructed ramp.

Site Description

The proposal site is a modern, later C20th commercial property containing several commercial units. Whilst perhaps not conventionally attractive in design, the site is nevertheless locally

distinctive and is an outlier in its setting as an example of its type. Westlode Street is a highly central and prominent portion of the Spalding Conservation Area (SCA), being one of the town's principle shopping areas as well as a major route through the town for both pedestrians and vehicle traffic.

The wider area can be characterised as being commercial and residential in nature with a wide range of variance in terms of style, and period of architecture

History

H16-0568-08

Change of use of part of ground floor unit from A3/A4 (bar/cafe) to A5 (hot food takeaway). Approved on 16-07-08

H16-0961-08

Alterations to existing mixed use building to include new glazed entrance doors, new external composite aluminium fascia panelling to southern, eastern and western elevations and external decking (part retrospective). Approved on 01-04-09.

H16-0956-11

Proposed external flue pipe and oil tank with brick bund. Approved on 07-02-12.

H16-0748-12

Proposed decking, posts and handrails (part retrospective). Approved on 01-11-12

H16-0960-17

Replacement ramp access and associated works. Refused on 21-11-18

H16-0060-18

Erection of decking area to front elevation (retrospective). Refused on 26-09-18

Consultation Responses

Lincolnshire County Council Lead Local Highways and Flood Authority

No objections.

Planning Considerations

Heritage Impact

The existing timber ramp is considered to be inappropriate for the Conservation Area setting, as it is prone to degradation which leads to the ramp being somewhat unsightly in this prominent location. It is understood that the brick and concrete alternative will have very little visual presence in its setting, but will appear far more permanent and appropriate within its setting than the currrent timber unit. Therefore, this application is deemed to help to enhance the historic environment in accordance with Section 16 of the National Planning Policy Framework (2019).

Planning Balance

It is determined that there are no negative elements of this proposal against which to balance.

Conclusion

For the reasons listed above, this application is deemed to be in accordance with Policies 1, 2, 3 and 29 of the South East Lincolnshire Local Plan (2019) as well as Sections 12 and 16 of the National Planning Policy Framework (2019). Therefore, this application is recommended for approval.

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.