DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0600-19**	**Applicant:**	**Mr Christopher Longstaff**
Proposal:	Details of brick panel (Condition 4 of H16-0310-19)		
Location:	Store & Premises Adj. Right Westbourne Lodge 13 Cowbit Road Spalding		
Terminal Date:	9th August 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

29 The Historic Environment

National Guidance

National Planning Policy Framework 2019

National Guidance 2019.

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

The application seeks to discharge Condition 4 of Listed Building Consent H16-0310-19 which granted consent to repair/rebuild a badly damaged section of a listed wall at the property known as the Former Maltings, Cowbit Road, Spalding.

The condition requires a brick panel to demonstrate bond/mortar etc to be provided for reference.

A panel has been provided on site which is acceptable in all regards, the applicant has submitted photographs of the panel.

Therefore the proposals are compliant with the relevant planning policy guidance within the NPPF and should be APPROVED.

Public Sector Equality Duty
In making your decision you 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 is only one factor that needs to be considered, and may be balance 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 your decision, you 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.

You are referred specifically to Article 8 (right to respect for private and family life), 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 interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.