

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0679-20 **Applicant:** The Glenholme Group

Proposal: Details of CCTV system and external lighting (Conditions 12 and 13 of H16-0008-19)

Location: Halmer Court 108 Halmer Gate Spalding

Terminal Date: 15th October 2020

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development
30 Pollution

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places
Section 15 - Conserving and enhancing the natural environment

Representations:

	Object	Support	No Obj.	Comments
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CASE OFFICER ASSESSMENT

Proposal

Details of CCTV system and external lighting (Conditions 12 and 13 of H16-0008-19).

Site Description

The application site formerly accommodated a public house, which has been demolished, and construction of the building has progressed considerably.

The site is located within a residential area and properties adjoining the eastern, southern and western boundaries. There is tall conifer hedging along most of the eastern boundary between the application site and properties on Low Road which acts as screening. The other two boundaries are screened by a mixture of lower hedging, wall and fencing.

History

H16-0350-20 - Details of archaeology (Condition 5 of H16-0008-19) (approved May 2020)

H16-0524-19 - Details of Archaeology, foul water disposal, site levels, construction management plan and precautions to prevent mud deposits on road (Conditions 3, 7, 8, 9 and 10 of H16-0008-19)(approved August 2019)

H16-0649-19 - Details of scheme to deal with contamination and ecology report (Conditions 6 and 11 of H16-0008-19) (Approved July 2019)

H16-0008-19 - Full planning application for proposed 61 bedroom care home (approved April 2019)

Consultation Responses

None.

Planning Considerations

Condition 12 (Details of CCTV system) - The submitted drawing indicates the areas of coverage of the proposed CCTV system. The areas covered appear to be acceptable and would not result in a detrimental impact on neighbouring amenity in terms of unacceptable loss of privacy.

Condition 13 (Details of external lighting) - Road lantern columns are proposed to be installed at various points around the car park at the front. These will effectively replace the column lights that were formerly located in the car park. Bollard lights would be installed in the external communal areas to the east and west of the building and wall mounted lights installed on all elevations of the building. This is considered to be a suitable arrangement for a development of this scale and nature. The trees along the eastern boundary will prevent light splay in the direction of the properties to the east. To the west, the lights would be at such an angle or distance in relation to neighbouring properties that there should be no detrimental impact in terms of light pollution.

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.

Conclusion

Taking the above into account, it is considered that Conditions 12 and 13 of H16-0008-19 can be discharged.