

DECISION DELEGATED TO DEVELOPMENT MANAGER**DECISION DELEGATED TO DEVELOPMENT MANAGER**

Application No: H16-0861-19 **Applicant:** Robert Goddard Ltd
Proposal: Details of surface water disposal (Condition 10 of H16-0368-18)
Location: Robert Goddard 1 Vine Street Spalding
Terminal Date: 28th October 2019

Planning Policies**South East Lincolnshire Local Plan - Adopted: March 2019**

02 Development Management
03 Design of New Development
04 Approach to Flood Risk

National Guidance**National Planning Policy Framework 2019**

Section 14 - Meeting the challenge of climate change, flooding and coastal change.

Representations:

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

CASE OFFICER ASSESSMENT**Proposal**

The application is for the discharge of condition 10 of application H16-0368-18 which states;

Before the commencement of the development hereby granted beyond oversight, full details of the means of surface water disposal shall be submitted to and approved in writing by the Local Planning Authority. The details so approved shall be implemented in full before the development hereby permitted is first brought into use.

Site Description

The host building is an attractive three storey shop, in the Spalding Conservation Area, at a visually

prominent entrance to the town centre as you enter from Vine Street, and sits on the junction of Vine Street and Bedford Place.

The building is a period building which is a three storey gabled block, with a perpendicular rear block, finished in white painted render with an attractive and traditionally styled shop front at ground floor.

The immediate area is characterised largely by commercial properties of varying architectural history and style.

History

H16-0368-18

Part demolition, conversion and extension of shop to provide reduced retail floor space and 8 residential units. APPROVED on 07/08/2018

H16-0594-19

Change of use of part of existing shop and part of previously approved extension from retail to residential accommodation resulting in the creation of one new additional residential apartment. APPROVED on 06/09/2013.

H16-0486-11

Part demolition, conversion and extension of shop to provide additional retail floor space and 5 residential units. APPROVED on 01/09/2011.

H16-0485-11

Part demolition, conversion and extension of shop to provide additional retail floor space and 5 residential units. APPROVED on 01/09/2011.

Consultation Responses

LCC Highways/SUDs

No Objections

Planning Considerations

The submitted details are considered to be acceptable. LCC Highways/SUDs has been consulted and raises no objections. Therefore, it is recommended that this application be approved, discharging condition 10 of application H16-0368-18.

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.