DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1039-19**	**Applicant:**	**Education & Skills Funding Agency**
Proposal:	Development of multi-use games area south of existing South Holland Post 16 Centre and associated external works - approved under H16-1002-17. Amendments to elevations.		
Location:	South Holland Post 16 Centre Matmore Gate Spalding		
Terminal Date:	19th November 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development

National Guidance

National Planning Policy Framework 2019

Section 12 of the National Planning Policy Framework (2019)

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a non-material amendment application for development of multi-use games area south of existing South Holland Post 16 Centre and associated external works - approved under H16-1002-17. Amendments to elevations.

Site Description

This is within defined settlement limits off Matmore Gate. Dwellings are situated to the east, south and west, with playing fields to the north.

History

H16-1314-06

COUNTY COUNCIL Reg 3 - Construction of sixth form/adult learning facilities - Approved - 28 November 2006

H16-0893-15

COUNTY COUNCIL Reg 3 - Solar panels on school roof (retrospective) - Approved - 13 October 2015.

H16-1002-17

Full - Development of multi-use games area south of existing South Holland Post 16 Centre in Spalding and associated external works - Approved - 07 December 2017

H16-1102-18

Non-material amendment - Development of multi-use games area south of existing South Holland Post 16 Centre in Spalding and associated internal works - approved under H16-1002-17. Amendments to include addition of external sprinkler tank and associated plant within timber enclosure, alterations to perimeter fencing and minor alterations - Approved - 20 November 2018

Consultation Responses

None

Planning Considerations

Policy

The minor amendments to fenestration, a small canopy extension and the inclusion of new extract grilles are considered to constitute non-material amendments that do not increase any consultation response concerns, impact the overall character of the design or impact upon neighbour amenity

Conclusion

These alterations constitute non-material amendments.

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.