DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-1136-19**	**Applicant:**	**Country Court Care**
Proposal:	Proposed electricity sub-station and sprinkler store		
Location:	The Former Goodfellows School Spalding Common Spalding		
Terminal Date:	20th January 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
03	Design of New Development
28	The Natural Environment
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Section 12 - Achieving well-designed places

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

Proposed electricity sub-station and sprinkler store.

Site Description

As host site. Development under construction.

History

H16-0837-19. Proposed care home facility (C2) including new access, car parking areas, amenity space and associated landscaping - approved under H16-0778-18. Modification of Conditions 2 and 11 to allow amendments to previously approved plans and upvc windows and doors in anthracite grey in lieu of timber. Approved 06-11-19.

H16-1266-18. Details of Conditions 3 (archaeological investigation), 4 (archaeological matters), 5 (archaeological matters), 7 (provision of bat boxes), 8 (Arboricultural Method Statement), 9 (external materials), 10 (Details of the design of all external doors, window frames and door frames), 13 (means of foul and surface water disposal), 14 (details of the covered cycle racks), 15 (external boxes for gas and electricity supplies and of any gas flues and soil vent pipes), 17 (proposed boundary treatment) and 19 (Details of the external illumination) of H16-0778-18. Approved 27.2.19.

H16-0778-18. Proposed care home facility (C2) including new access, car parking areas, amenity space and associated landscaping - approved under H16-1037-16 - Modification of Condition 2 to allow amendments to previously approved plans and increase (100mm) to height of lower roof sections for constructional purposes. Approved 31-10-18.

H16-1037-16. Proposed care home facility (C2) including new access, car parking areas, amenity space and associated landscaping. Approved 01-02-17.

Consultation Responses

LCC Highways/SUDS - No objections. Suggest an informative.

SHDC Environmental Health - No objection.

Planning Considerations

The substation will sit adjacent to the entrance of the site, and will be viewed in the context of the wider development.

The materials match that of the development and the structure would not be out of keeping with the site or the wider area.

Conclusion

Taking the above into account, the recommendation is to approve.

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.