

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1148-18 **Applicant:** Octagon Developments (Cambs) Ltd.

Proposal: Details of bin storage and cycle storage, shaping and resurfacing of Short Street, parking control, landscaping, design and position of external boxes etc, programme for phasing and reposition of Short Street nameplate (Conditions 6, 7, 8, 10, 12, 13 and 16 of H16-0933-16)

Location: 17-21 Winsover Road Spalding

Terminal Date: 9th January 2019

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 2021

Section 12 - Achieving well-designed places
Section 14 - Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	0	1
RESIDENTS	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

Details of bin storage and cycle storage, shaping and resurfacing of Short Street, parking control, landscaping, design and position of external boxes etc, programme for phasing and reposition of Short Street nameplate (Conditions 6, 7, 8, 10, 12, 13 and 16 of H16-0933-16).

Site Description

Development now effectively complete with the exception of the shaping and resurfacing of the road and associated drainage and some small elements of landscaping.

Relevant History

H16-0933-16 - Demolition of 15-21 Winsover Road and buildings to rear and erect 27 dwellings and replacement shops - approved under H16-0420-16. Removal of Condition 15 relating to bat report and variation of Condition 2 to allow amendments to previously approved plans (approved December 2016)

H16-0934-16 - Details of contaminated land, archaeological report, brick and roof details (Conditions 4 and 16, and Part Condition 12 of H16-0420-16) (approved October 2016)

H16-0420-16 - Demolition of 15-21 Winsover Road and buildings to rear and erect 27 dwellings and replacement shops - approved under H16-1004-09. Removal of Condition 4 relating to affordable housing. (approved July 2016)

H16-1004-09 - Demolition of 15 - 21 Winsover Road and buildings to rear and erect 27 dwellings and replacement shops (approved May 2014)

Consultation Responses

LCC Highways/SUDS - Confirms that the details for the re-surfacing of Short Street and associated drainage have been approved.

PEDALS - Recommend the use of 'Sheffield' type cycle stands.

Public (1 comment received, summarised) -

- Soft landscaping and tarmac resurfacing as shown on Drw No AE1701 01 has been forgotten or abandoned
- Frontage on to Victoria Street car park is an unfinished mess
- Tarmac in Short Street is a disgrace

Planning Considerations

Bin storage and cycle storage - A timber framed unit with metal sheet roof and security gate has been provided adjacent to Block C for bin storage and for bicycle security. Bins for Block A are stored within the block itself and cycles are stored in the building adjacent to the transformer at the rear of the block. The residential units which form Block B to store bins in their rear gardens. Bicycles can be stored indoors or in the rear gardens.

Shaping and resurfacing of Short Street and surface water drainage - The relevant details have been approved by the Highway and Lead Local Flood Authority.

Scheme of parking control - Double yellow lines are proposed either side of Short Street to prevent parking.

Landscaping - Planting of mixed species is proposed around the frontage of Block C along with a grassed area. Planting and a small number of trees is also indicated between Blocks B and C. Rear gardens of Block B are laid to lawn. This level of planting is acceptable given the town centre location.

Design and position of external boxes etc - Meters for Block A are internal, those for Block B are external (wall and ground mounted) and those for Block C would be housed in an external meter store near the bin store. Whilst internal boxes are preferable, it would not be practical for the external boxes to now be re-sited given that the dwellings are occupied.

Programme for phasing - Development is almost complete in planning terms with the exception of

the re-surfacing of Short Street and associated drainage so this condition is effectively redundant at this stage.

Repositioning of Short Street nameplate - The nameplate is to be repositioned on the north-eastern facing elevation of Block A close to its junction with Winsover Road.

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

Overall, it is considered that the information submitted to satisfy Conditions 6, 7, 8, 10, 12, 13 and 16 of H16-0933-16 is acceptable and that the conditions can now be discharged.