

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H16-1154-21 **Applicant:** ISG Ltd.
Proposal: Proposed new access ramp and steps
Location: Natwest Banking Centre 21 - 23 Market Place Spalding
Terminal Date: 17th March 2022

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
25	Supporting the Vitality and Viability of Boston and Spalding Town Centres
29	The Historic Environment

National Guidance

National Planning Policy Framework 2021

Sections 12 and 16 of the National Planning Policy Framework (2021)

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
HIGHWAYS & SUDS SUPPORT	0	0	0	1
IAN MARSHMAN, HISTORIC ENVIRONMENT OFFICER	0	0	0	1

CASE OFFICER ASSESSMENT

Proposal

This planning application is for the addition of a disabled access ramp and steps at NATWEST

banking centre, 21-23 Market Place, Spalding.

The proposed ramp structure will project forward from the main, front entrance to the building, turning at a right angle towards the East immediately after exiting the door, and extending to its base by 6.815m from the Western edge. The structure would project from the front of the property by a maximum (including handrail frames) of 2.504m.

It is also proposed that a black painted wrought iron railing will accompany the ramp and steps. These railings will be a consistent 0.9m tall, rising up off the surface of the new structure, translating into a maximum overall height of new development being 1.1m.

Site Description

21-23 Market Place is not listed, however it is within a highly central position in the Spalding Conservation Area (SCA), within visual range of a wide variety of listed buildings and views which are crucially important to the general character of the SCA.

The building itself is a C19th large commercial property. Whilst it is not listed nor considered a 'building of local heritage', it is fair to assess it as being a non-designated heritage asset due to its visual character and large contribution to the setting of the conservation area. The building itself is noted for its distinctive Georgian features, including mock brick columns, carved stone parapet roof walls, large, Georgian timber windows and a ground floor faced with carved stone.

The wider setting is characterised by the wide, open market place, flanked with C19th and C20th commercial development.

History

H16-1440-06

Flag pole signs. Refused on 28-12-06

H16-0157-07

Flag pole signs. Refused on 28-03-07

H16-0788-12

Proposed illuminated ATM surround (retrospective). Approved on 19-11-12

H16-0757-14

Proposed signage. Approved on 05-11-14

H16-0699-15

Proposed one internally suspended chevron advertisement and two AO light pocket advertisements. Approved on 21-09-15

Consultation Responses

Lincolnshire County Council Historic Environment Officer

No archaeological input required.

Lincolnshire County Council as Lead Local Highways and Flood Authority

Initially, LCC highways requested that the applicant be required to justify why the proposal must be situated outside of the building on Highways land rather than inside the host property. The applicant responded with their justifications and LCC highways have found the supplied reasoning to be acceptable and therefore have raised no objections to the proposals, subject to the addition of Highways Informatives.

Planning Considerations

Heritage Impact

The Local Planning Authority does not consider there to be any risk presented to the value or significance of any heritage asset, either the non-designated host asset or the conservation area. This is because the works are particularly minor and should lead to very little impact upon the appreciable character of the area. However, the railings to be used will be black, wrought iron, matching the railings featured at the central 1st floor balcony of the host property. Similar such features are present throughout the town centre portion of the Conservation Area, including at the adjacent South Holland Centre building, which plays host to a very similar feature to that which is proposed in this application. Therefore, due to the lack of impact proposed by this application upon the historic environment, this application is considered to assist in conserving the historic environment in accordance with Section 16 of the National Planning Policy Framework (2021).

Public benefit

The Local Planning Authority considers the proposed works to have a positive effect upon accessibility of vital services within the town centre. Policy 25 of the South East Lincolnshire Local Plan (2019) states that

"The Councils will promote appropriate opportunities to support and extend the offer of the town centres as destinations through the following: ...

...3) Enhancing the public realm through improvements to public spaces, accessibility and signage;"

This proposal assists in enhancing accessibility to an important town centre service, and is therefore acceptable under the principles of Policy 25. Furthermore, whilst no negative elements have been identified to the heritage impact of this proposal, because the impact was deemed to be neutral, any minor negative elements are, in balance, outweighed by the benefit this improvement to accessibility provides to the general public.

Conclusion

For the reasons listed above, the Local Planning Authority considers this application to be in accordance with Policies 1, 2, 3, 25 and 29 of the South East Lincolnshire Local Plan (2019) as well as Section 12 and 16 of the National Planning Policy Framework (2021). Therefore, this application is recommended for approval.

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.