DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H18-0300-24**	**Applicant:**	**Lincolnshire County Council**
Proposal:	Erection of mobile classroom to provide additional accommodation for under 2's at Sunbeams Playgroup for a period of 5 years - approved under H18-0401-19 - Modification of Condition 2 to allow an extension of time		
Location:	Westmere County Primary School Anne Road Sutton Bridge		
Terminal Date:	23rd April 2024		

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 2023

Section 12 - Achieving well designed and beautiful places

Representations:

	Object	Support	No Obj.	Comments

CASE OFFICER ASSESSMENT

Proposal

This is a Regulation 3 planning application that seeks permission to modify Condition 2 of H18-0401-19 to allow an extension of time. Planning permission was granted for the erection of mobile classroom to provide additional accommodation for under 2's at Sunbeams Playgroup for a period of 5 years.

Site Description

The site is vast within a residential area and hosts Sutton Bridge Westmere Community Primary School. There is ancillary development to the education centre in the form of mobile buildings. The mobile classroom subject to this application is adjacent to north of further mobile structures which are the premises of Sutton Bridge Children's Centre. According to the needs of the educational centre, permission has been granted for new buildings and extensions over the years.

History

H18-0815-07 - Proposed building for use as before/after school club - Approved

H18-0018-13 - Construction of four classroom extension to existing school and extension to hard play/games area. Extension to hard play area to replace area taken for the classroom extension - Approved

H18-0280-14 - Erection of mobile classroom to provide additional accommodation for under 2's at Sunbeams Playgroup for a period of 5 years - Approved

H18-0401-19 - Erection of mobile classroom to provide additional accommodation for under 2's at Sunbeams Playgroup for a period of 5 years - approved under H18-0280-14 - Modification of Condition 4 to allow an extension of time - Approved

Consultation Responses

No consultation responses.

Planning Considerations

Condition 1 of H18-0401-19 stated that 'The structure/building hereby permitted shall be removed from the site at or before 5 years of the date of this permission and the site restored to its former condition before that date.' This application is aimed to modify the date and extend permission to retain the mobile classroom.

Since the date of the previous permission, no significant changes have been anticipated on the site regarding flood risk prediction. Mitigation measures contained in the Flood Risk Assessment provided previously shall remain and be imposed as a planning condition for the intended time extension.

Conclusion

In light of consideration above, the proposal complies with Policy 1 and 4 of the South East Lincolnshire Local Plan, 2019, as well as Section 14 of the National Planning Policy Framework, December 2023.

It is therefore recommended that Lincolnshire County Council approve this application.

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.