

## DECISION DELEGATED TO DEVELOPMENT MANAGER

**Application No:** H01-1075-18      **Applicant:** Mr and Mrs M Laycock  
**Proposal:** Residential development (3 dwellings) - approved under H01-0759-18 - Modification of Condition 8 relating to visibility splays  
**Location:** 68 Stone Gate Cowbit Spalding  
**Terminal Date:** 19th December 2018

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### Planning Policies

#### Local Plan July 2016:

|      |                                                                      |
|------|----------------------------------------------------------------------|
| SG1  | General Sustainable Development                                      |
| SG14 | Design and Layout of New Development                                 |
| SG15 | New Development: Facilities for Road Users, Pedestrians and Cyclists |

#### National Guidance

#### National Planning Policy Framework 2018

#### National Planning Policy Framework (NPPF), March 2018

Section 2 - Achieving sustainable development  
 Section 4 - Decision making  
 Section 5 - Delivering a sufficient supply of homes  
 Section 8 - Promoting healthy and safe communities  
 Section 9 - Promoting sustainable transport  
 Section 11 - Making effective use of land  
 Section 14 - Meeting the challenge of climate change, flooding and coastal change  
 Section 15 - Conserving and enhancing the natural environment  
 Section 16 - Conserving and enhancing the historic environment

### Representations:

|                         | Object | Support | No Obj. | Comments |
|-------------------------|--------|---------|---------|----------|
| PARISH COUNCIL          | 0      | 0       | 0       | 0        |
| WARD MEMBER             | 0      | 0       | 0       | 0        |
| HIGHWAYS & SUDS SUPPORT | 0      | 0       | 1       | 0        |
| RESIDENTS               | 1      | 0       | 0       | 0        |

## **CASE OFFICER ASSESSMENT**

### **Proposal**

Residential development (3 dwellings) - approved under H01-0759-18 - Modification of Condition 8 relating to visibility splays.

Specifically, Condition 8 of the consent sets out -

*Notwithstanding the submitted information before the vehicular access is brought into use, visibility splays of 2.0 metres x 43 metres shall be set-out at the frontage of the site. All obstructions exceeding 0.6 metres high shall be cleared from the land between the highway boundary and those visibility splays and shall be so maintained at all times thereafter.*

*Reason: In the interests of safety, so that drivers leaving the proposed development and the host dwelling have sufficient visibility of any approaching traffic on Stonegate to be able to judge if it is safe to complete the manoeuvre.*

*This Condition is imposed in accordance with Policies SG14 and SG15 of the South Holland Local Plan, 2006.*

The applicant seeks to amend this condition to

*Notwithstanding the submitted information before the vehicular access is brought into use, visibility splays of 2.0m x 37m (to the west) and 2.0m x 34m (to the east) shall be set-out at the frontage of the site. All obstructions exceeding 0.6m high shall be cleared from the land between the highway boundary and those visibility splays and shall be so maintained at all times thereafter.*

### **Consultation Responses**

#### **Cowbit Parish Council**

No response received.

#### **LCC Flood Risk and Development Manager**

No objections

#### **Local representations**

Problems with heavy traffic on the eastern half of Stonegate and all Backgate due to the level of development along these roads.

Noise, dust, damage to the road, and speed, on a residential village road, that wasn't built to take it. Health of our residents around us, and own health.

Will a tall wall be built to the left boundary and to the bottom boundary

Flood plains and no development on the local plan.

The right to enjoy our homes and peace and our family life under the Human Rights legislation

The Application talks of a visibility splay of 2m x 37 m (west) & 2m x 34m (east), however the submitted plan shows visibility splays of only 2m x 24m (west) and 2m x 35m (east).

The block plan does not show how the proposed visibility splays can be achieved and does not match with the statement.

The previous planning condition required a visibility splay of 2m x 43m and this should be considered a minimum.

Reducing this will not be in accordance with SHDC Local Plan. Policies nor comply with LCC Highways specifications and would be a reduction of safety standards, leading to an increased likelihood of accidents.

Furthermore, in light of the below information concerning recorded speed limits on this road, it should be considered if a visibility splay larger than 2x43m should be required here, to ensure there is no further detriment to road safety in this vicinity.

Speed limits - this road, although sign posted 30mph, is used as a back route to the A16 and due to it's straightness and lack of traffic calming, vehicles are frequently observed doing speeds far in excess of this. Indeed recent reports to the Parish Council, using portable speed monitoring logging

devices, record speeds regularly clocked at 70 and up to 90mph.  
as the below quote:

It is dangerous pulling out of driveways in this vicinity, as there is insufficient room for a safe visibility splay, without pushing the nose of any vehicle significantly out across the carriageway. The risk and likelihood of an accident would be significantly increased with the proposed access, which will be used by a total of 4 dwellings (3 proposed + the current No.68). This would also be exacerbated during periods of construction, due to the need for much more frequent traffic movements and larger vehicles for construction use.

## **Considerations and Conclusion**

Outline planning permission has been granted on this site for 3 dwellings (H01-0759-18 refers). The principle of developing this land for 3 dwellings, and allowing vehicular access for a further 3 dwellings on to this part of Stonegate has been accepted.

The principle of the development of this land for 3 dwellings has been accepted by the previous consent (H01-0759-18 refers). Matters of impact on adjoining residents was considered at the stage of granting this "host" consent.

Issues of design detail and boundary treatments would be addressed at the reserved matters stage.

The key matter to consider is the impact of accepting reduced vision splays for this development, and the consequences for highway and pedestrian safety.

### Highway and pedestrian safety

Stonegate is a relatively straight residential road, that has a footpath on both sides of the carriage way at this point.

The details of access were considered at the stage of the first grant of planning permission, at which time a standard condition was imposed at the request of LCC Highways officers, to ensure adequate vision splays for the reasons of highway and pedestrian safety.

The details of the current submission have been assessed by LCC Highways officers again and no objection is being raised to the reduction of the vision splays for this site. The plans and details and conclude that there is no reason for objection to the reduction in sight lines to 2.0m x 37m (to the west) and 2.0m x 34m (to the east), as requested by this application.

### Other Matters

Objections have been raised regarding matters of detail that would be dealt with at the reserved matters stage, so are not to be considered at this time.

An objector has raised an apparent discrepancy in the submitted plan and application, however the submitted location plan is to be used for reference purposes and is not intended to set the vision splays, as this is controlled by condition.

An objector has raised the Human Rights Act which, together with the Equality Act, has been considered and the Council has considered the effect of the proposal on individuals in preparing this report.