DECISION DELEGATED TO HEAD OF PLANNING

Application No:	**H03-0693-22**	**Applicant:**	**J Turner & K Parkinson**
Proposal:	Formation of 2 residential vehicular accesses		
Location:	Wisteria House And Beech Tree Barn Home Farm Main Road		
Terminal Date:	2nd September 2022		

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 2021

12 - Achieving well-designed places.

Representations:

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

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full planning application for the formation of 2 residential vehicular accesses at Wisteria House and Beech Tree Barn, Home Farm, Main Road, Deeping St Nicholas. The present access leads to Home Farm with internal access points to either side of the large farm building. This proposal seeks to provide accesses that connect directly to Main Road which is a straight road with good visibility in both directions.

SITE DESCRIPTION

The site is within defined settlement limits and the surrounding area is characterised by linear development of varying ages and designs. The site is Environment Agency Flood Zone 2 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

RELEVANT HISTORY

None.

CONSULTATION RESPONSES

Lincolnshire County Council - County Highways & SUDS Officer

No objections - Requests a new access informative.

PLANNING CONSIDERATIONS

Principle of development

The proposal is for new vehicular accesses on a classified road to serve existing dwellings. The principle of development in this location is considered to be acceptable.

Assessment against SELLP Policy 2 - Development Management

When assessed against the relevant criteria the following can be observed:

1. The size, scale and layout of both accesses are considered to be appropriate. Part of a hedge will be removed at Beech Tree Barn, with part of a fence removed at Wisteria House. The character and appearance of the area will not be impacted by this proposal.

2. The design and orientation of the access will be subject to County Highways approval.

4. The proposed accesses will be located on a straight section of Main Road with good visibility in both directions. Each property can accommodate in excess of three off road parking spaces which is the minimum requested under Appendix 6 of the SELLP.

5. The capacity of existing community services and infrastructure will not be impacted by the proposal.

7. The site is Environment Agency Flood Zone 2 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 2.

Assessment against SELLP Policy 3 - Design of New Development

When assessed against the relevant criteria the following can be observed:

1. A sense of place is not impacted by the proposed access points. The size, scale and layout of both accesses are considered to be appropriate. Part of a hedge will be removed at Beech Tree Barn, with part of a fence removed at Wisteria House. The character and appearance of the area will not be impacted by this proposal.

5. Ample space remains on site for cycle and bin storage. The proposed accesses will be located on a straight section of Main Road with good visibility in both directions. Each property can accommodate in excess of three off road parking spaces which is the minimum requested under Appendix 6 of the SELLP.

11. Residential amenity is not impacted by the proposed access locations.

12. The site is Environment Agency Flood Zone 2 and is not subject to increased hazard or depth on the 2115 South Holland Strategic Flood Risk Mapping.

This application accords with SELLP Policy 3.

PLANNING BALANCE

The accesses serve the needs of each dwelling without materially impacting the character or amenity of the surrounding area. Therefore this application accords with Policies 1, 2 and 3 of the South East Lincolnshire Local Plan, 2019, as well as Section 12 of the National Planning Policy Framework, 2021.

CONCLUSION

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.