DECISION DELEGATED TO DEVELOPMENT MANAGER

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| **Application No:** | **H11-0375-20** | **Applicant:** | **Mr R Hillard** |
| **Proposal:** | Proposed Vehicular Access | | |
| **Location:** | 26 Bridge Road Long Sutton Spalding | | |
| **Terminal Date:** | 13th July 2020 | | |

**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 2019**

Section 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 planning application that seeks full permission for proposed vehicular access at 26 Bridge Road, Long Sutton, Spalding.

**Site Description**

The site is located at the eastern end of the built-up area of Long Sutton. The character of the area

is a mixture of residential and light industrial.

The property No. 26 is a bungalow of residential use. It sits within a fairly spacious plot with grassed front and rear gardens. The footprint of the building appears substantially set back from the road to the north. A wide verge runs along the edge of the carriageway and front boundary of the site. The site is heavily bounded with mature conifer hedgerows.

There is a wide drive to the west of the dwelling that leads to the car service business Dick Hillard Motor Services.

To the east, one further access provides access to the Bridge Road Industrial Estate.

## History

H11-0069-15 - New vehicular access - Approved

H11-0206-00 - New access to existing bungalow - Approved

## Consultation Responses

LCC Highways/SUDS Authority

No objection.

Should permission be granted, an informative note to be added in order to ensure that the formation of the new vehicular access complies with Authority's specification.

## Planning Considerations

The site is within the settlement boundaries of Long Sutton as set out in the South East Lincolnshire Local Plan (SELLP), 2019. There is no objection to the principle of developing a vehicular access which is ancillary to the residential use of the plot.

Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise. The key material considerations are addressed below.

Design and layout

Paragraph 127 of National Planning Policy Framework (NPPF), 2019 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area; are visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users, among other considerations. Likewise, Policy 2 of the SELLP states that design which is inappropriate to the local area, or which fails to maximise opportunities for improving the character and quality of an area, will not be acceptable.

The proposed access will be formed between the nearest carriageway of Bridge Road and the north-eastern corner of the curtilage. The construction works will entail creating hardstanding over part of the verge to form the vehicle crossing. The widest point of the access will be approximately 9.65 metres on the edge of the carriageway. The average width through the remainder of the drive will be 3 metres.

The layout of the access will have a T shape including a turning area to the front of the property. The remainder will extend from the verge straight to the eastern side of the dwelling. It appears that vehicles could enter and egress the site in safe and convenient manner. In any case, the proposal has been submitted subject to further considerations at a later stage to comply with County Highway Authority's specifications.

With regards to the floor treatment, a compacted hard-core will be laid on the floor and gravel will be spread over the surface. The resulting appearance will be characteristic of such type of development in a residential area.

In summary, it is considered that the design and layout of the proposed works would sit well within the plot and will be functional to their purpose. They will be in keeping with the residential use of the plot and character of the local area. Therefore, the proposals accord with the aforementioned policies regarding design, layout and impact upon the character of the local area.

Highway safety

During the site inspection a light post was observed on the verge near the widest point of the access. LCC Highways/SUDS Authority has also addressed the conflict of such apparatus with the highway standards of the drivers using the proposed access. In the form of an informative note, it is reminded to the applicant that the relocation of any apparatus, street furniture or underground services will be responsibility of the applicant.

Subject to further liaison between the applicant and LCC Highways Authority, it is considered that the development is appropriate in terms of highway safety.

With regards to the car parking provision, 2 spaces for dwellings up to 3 bedrooms is the minimum required by the Local Planning Authority following Appendix 6 of SELLP (2019). The application property has no record of planning history neither Building Control records. However, the agent has confirmed that the bungalow has 2 bedrooms and the scale of the dwelling appears to be able to accommodate no more than 2 habitable bedrooms. Therefore, it is assumed that the proposed vehicular access can accommodate the minimum parking spaces within the curtilage and therefore the proposals comply with Appendix 6 of SELLP (2019).

## Conclusion

Taking into account the mentioned above, the proposal is considered to be in accordance with Policies 1, 2, 3 and 36 and Appendix 6 of the South East Lincolnshire Local Plan (2019); as well as Section 12 of the National Planning Policy Framework (2019).

It is therefore recommended to approve this planning application via delegated powers.

## 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.