

DECISION DELEGATED TO HEAD OF PLANNING

Application No: H11-0721-23 **Applicant:** Mr R Hillard
Proposal: Proposed vehicular access
Location: 26 Bridge Road Long Sutton Spalding
Terminal Date: 11th October 2023

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02 Development Management
03 Design of New Development

National Guidance

National Planning Policy Framework 2021

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
SOUTH HOLLAND INTERNAL DRAINAGE BOARD	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.

Site Description

The site lies within the settlement boundary of Long Sutton as outlined in the South East Lincolnshire Local Plan, 2019 (SELLP).

No. 26 is a bungalow of residential use and is set back around 15m from the highway to the north. The site is surrounded by high hedges with a variety of mature trees within the curtilage. It sits within a fairly spacious plot with grassed front and rear gardens. A wide verge runs along the edge of the carriageway and front boundary of the site. There are residential properties directly opposite the development site and others in the immediate area, there also appears to be some businesses in the vicinity.

History

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

H11-0069-15 - New vehicular access - Approved

H11-0375-20 - Proposed vehicular access - Approved

Consultation Responses

South Holland Internal Drainage Board

No comments.

Lincolnshire County Council Highways Authority

No objection, if permission were to be granted then they have recommended an informative to go on with the conditions.

Planning Considerations

Layout, Design, Size and Scale

Paragraph 130 of the National Planning Policy Framework (NPPF), 2023 establishes that planning policies and decisions should ensure that developments will function well and add to the overall quality of the area, that they are visually attractive, as a result of good architecture, and are sympathetic to local character. 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 drive will be constructed from washed gravel on compacted hardcore and they will ensure that the edging to the kerbs is suitable. 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.

Impact upon Resident Amenity

Paragraph 130 of the NPPF amongst other matters, seeks places with a high standard of amenity for existing and future users. Policies 2 and 3 of the SELLP set out residential amenity and relationship to existing development and land uses as main considerations when making planning decisions.

The proposed new access would have no impact on resident amenity due to the minor nature of the development, no overshadowing or overlooking will arise due what the proposal involves. Naturally, after the initial construction, which itself would take place over a short period, minimal additional noise pollution would be caused as a result of the development.

The proposal is therefore in accordance with Policies 2 & 3 of the South East Lincolnshire Local

Plan and Section 12 of the National Planning Policy Framework.

Highway Safety

Lincolnshire County Council were consulted on this application and stated that 'The wide highway verge and the straight alignment of Bridge Road provide sufficient visibility, for the speed limit of this road, for drivers emerging from the proposed vehicle access to have adequate sight of any vehicles that may be approaching from either direction. The proposal also includes a turning area within the curtilage of the property so that drivers are able to leave and enter the highway in a forward gear'. Therefore, it is considered that this proposal is therefore acceptable in terms of highway safety.

Planning Balance

It is considered that the proposed vehicular access can be incorporated onto the site without materially harming the character and amenity of the locality. This application is in accordance with Policies 2 & 3 of the SELLP as well as Section 12 of the NPPF.

Conclusion

The recommendation is for a delegated 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.