

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H14-0608-19 **Applicant:** W M Supermarkets PLC

Proposal: Works to car park entrance to include extra entrance lane to ease congestion and improve traffic flow, new/alterd traffic islands and new pedestrian crossing

Location: Morrisons Benner Road Pinchbeck

Terminal Date: 13th August 2019

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
07	Improving South East Lincolnshire's Employment Land Portfolio
08	Prestige Employment Sites
30	Pollution

National Guidance

National Planning Policy Framework 2019

Sections 6 & 12 of the National Planning Policy Framework (2019)

Representations:

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

CASE OFFICER ASSESSMENT

Proposal

This is an application for the works to car park entrance to include an extra entrance lane to ease congestion and improve traffic flow, new/altered traffic islands and new pedestrian crossing at Morrisons, Benner Road, Pinchbeck. The proposal seeks to remove 20 car park spaces to provide a dedicated lane to serve the car park with the existing lane solely serving the petrol filling station. A pedestrian crossing will be provided to the rear of the petrol filling station, with additional road markings to better improve the flow of traffic. An amendment was brought to the submitted design to expand the main entry point into the car park and lengthen the dropped kerb and tactile paving adjacent to the filling station.

Site Description

The proposal is within defined settlement limits and the surrounding area is characterised by industrial estate buildings of various ages and design.

History

H14-0430-00

Extensions, modifications/demolitions to supermarket & replacement petrol filling station - Approved - 11 October 2000

H14-1391-00

Extensions modifications / demolitions to supermarket and replacement petrol filling station - Approved - 30 January 2001

H14-0373-01

Erection of various signage - Approved - 01 May 2001

H14-0344-06

Replace ATM cash point machine in existing location - Approved - 21 April 2006

H14-0588-06

Renewal of existing advertising consent (reference H14/0373/01) - Approved 09 June 2006

H14-1114-17

Installation of new Timpson's Retail Pod - Approved - 05 January 2018

H14-0491-19

Proposed garden centre structure - Approved - 04 July 2019

H14-0610-19

Installation of new refrigeration units and supporting condensers. Equipment to sit on a new concrete plinth situated at the rear of the existing store adjacent to the service yard and on a new platform on the roof to the rear of the store - Approved - 23 July 2019

Consultation Responses

SHDC - Environmental Protection Officer

No objections

LCC - County Highways & SUDS Officer

No objections to amended drawings.

Planning Considerations

- Proposed design
- Impact on amenity

The proposed design is considered to improve traffic ingress and egress as well as throughflow via the division of access lanes to the main building and filling station. Policies 7 and 8 of the SELLP are also considered relevant as the site is located in an area predominately utilised for industrial purposes. The improved highway arrangement in and adjacent to the site should reduce traffic in the vicinity and thereby aid the distribution of goods and services for the nearby B1, B2 and B8 uses.

These proposals should reduce congestion which will not only improve user amenity but also the economic performance of Morrison's and environmental conditions by reducing the amount of stationary vehicles with engines running. There is not considered to be any material harm to the amenity of adjacent sites or the way in which the Morrison's building operates. The design, scale and layout is considered to be appropriate for the site and does not materially impact the character of the dwelling or the surrounding area.

Conclusion

In light of the above considerations the proposal is considered to be in accordance with Policies 1, 2, 3, 7, 8 and 30 of the South East Lincolnshire Local Plan, 2019, as well as Sections 6 & 12 of the National Planning Policy Framework, 2019.

A delegated approval is considered to be appropriate.

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 to grant permission 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 to grant permission 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 to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.