DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H14-0676-20**	**Applicant:**	**Mrs B Dungarwalla**
Proposal:	Proposed Vehicular Access		
Location:	The Willows 109 Six House Bank West Pinchbeck		
Terminal Date:	15th October 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

02	Development Management
36	Vehicle and Cycle Parking
APPENDIX 6	Parking Standards

National Guidance

National Planning Policy Framework 2019

Section 9 - Promoting sustainable transport
Section 12- 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 a proposed dropped kerb for vehicular access at The Willows, 109 Six House Bank, West Pinchbeck.

Site Description

The proposal site accommodates a detached dwelling on the eastern side of Six House Bank, Northgate. The area is characterised by frontage residential development of a wide variety of design. Six House Bank is one of the primary roads into Northgate and, as such, would see a reasonable level of traffic.

The property itself has a large gravelled front, which is currently being used as a parking area for the residents cars.

History

No relevant planning history.

Consultation Responses

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Planning Considerations

Visual Amenity/Design

As the proposal is for a dropped kerb, and the frontage of the property is already gravelled and used for parking cars, it will have a negligible design impact upon the appearance of the property or the local area.

The proposal is therefore in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) in this regard.

Highway Safety

Given the nature of the proposal, the key matter for consideration is highway safety.

The proposed dropped kerb would be situated on the south-western facing boundary with a proposed measurement of approx. 11m in width. This will allow more convenient access for parking for occupants of the property.

The Highways Authority have not objected to the proposal on highway safety grounds.

Given the above, the proposal is considered to be in accordance with Policies 2 and 3 of the Local Plan. Policy 2 requires sustainable development considerations to be met, including with regard to access. Policy 3 requires development proposals to consider the layout of parking. It is also in accordance with Section 9 of the National Planning Policy Framework (2019) which requires development proposals to ensure safe and suitable access for all users.

Conclusion

In light of the considerations above the proposed development is considered to be in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2019) and of Sections 9 and 12 of the National Planning Policy Framework (2019).

The recommendation is therefore 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.