DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H16-0169-19**	**Applicant:**	**P Buffham**
Proposal:	Residential development - Erection of dwelling - approved under H16-0835-18. Removal of Condition 5 as the wall referred to does not belong to applicant		
Location:	Rear: 26 Green Lane Spalding Lincs		
Terminal Date:	16th April 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
30	Pollution

National Guidance

National Planning Policy Framework 2019

Section 9 - Promoting sustainable transport

Representations:

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

CASE OFFICER ASSESSMENT

This is a s73 application which seeks the removal of Condition 5 of H16-0835-18 which states that: 'Before the access is brought into use the existing wall to the eastern boundary shall, be lowered to, and at all times thereafter maintained at, a height not exceeding 0.6 metres above the edge of the adjacent carriageway for a distance of 5 metres on each side of the access.' The applicant is seeking the removal of the condition as the wall referred to is not in their ownership.

The Highway Authority have responded that although the condition was originally included by the inspecting officer, it transpires that the walls either side of the vehicular access are not under the ownership of the applicant. Therefore this condition cannot be delivered by the applicant and should be discharged.

No other comments have been received.

Given the above, the removal of the condition is considered be acceptable.