DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H18-0814-20**	**Applicant:**	**Cadent Gas Ltd**
Proposal:	Construction of a temporary vehicular access		
Location:	Land Off Bridge Road Long Sutton Spalding		
Terminal Date:	19th November 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
05	Meeting Physical Infrastructure and Service Needs

National Guidance

National Planning Policy Framework 2019

Paragraph 109 of Section 9. Promoting sustainable transport
Paragraph 127 of 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 planning permission for construction of a temporary vehicular access at land off Bridge Road, Long Sutton, Spalding.

The site hosts a Pressure Reducing Station (PRS) managed by the major gas distribution network

Cadent. The aim of the development is to ensure a safe means of access for the delivery of plant and materials to a temporary compound in relation to the essential refurbishment of the current station. The existing agricultural access to the adjacent field to the east has been disregarded for the sought temporary access. The adjoining access is not surfaced neither sufficiently wide and will cause disruption to the agricultural landowner.

Site Description

Bridge Road is a classified minor road with single carriageway under the national speed limit. It provides a direct link between Sutton Bridge (east) and Long Sutton (west).

The site is located approximately 1.12 km north-west of Sutton Bridge and 1.15k m south-east of Long Sutton. From the neighbouring property Halfway House to the west, there is a verge stretching along the southern edge of the highway with sporadic trees. There is no pedestrian footway. The adjacent land surrounding the site are agricultural fields.

History

H18-0036-81 - Block valve installation at Bridge Road - Approved

Consultation Responses

LLC Highways/SUDS Authority

No objection.

One informative is requested to remind the applicant to contact the Authority to comply with their specifications.

Planning Considerations

Principle of development

The site lies on land designated countryside as set out in the South East Lincolnshire Local Plan (SELLP), 2019. Irrespective of spatial strategy considerations, the principle of developing a temporary vehicular access is acceptable subject to the main material consideration in terms of planning regulations.

Policy 5 of SELLP, 2019 is aimed to provide a framework by which developers, service providers and the community are advised how physical infrastructure and service needs will be considered and met. In detail, it states that "planning permission will be granted for new development provided that developers can demonstrate that there is, or will be sufficient physical infrastructure and service needs capacity to support and meet the needs of the proposed development".

A Planning Statement has been submitted with this application. It mentions that the temporary access and compound base will represent a a safe means of access for the delivery of plant and materials relating essential refurbishment of the gas plant. In line with the details of the proposals assessed below, on balance the need of the development has been acceptably justified and therefore the application accords with Policy 5 of SELLP, 2019.

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. Other 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 to the surrounding built environment and landscape setting; and create places that are safe, inclusive and accessible. Likewise, Policy 2 of SELLP, 2019 includes the relationship to existing development and land uses as one of the criteria to meet when assessing development proposals.

The maximum width of the proposed vehicular access will extend nearly 22 metres of the carriageway edge. From this edge, the depths of the central part of the access will range between 3.50 metres and 5.20 metres.

A 3m width 100mm thick tarmacadam base course is proposed as the first part of the access from the carriageway. It will laid for duration of works and removed on completion. As it goes to the site, an approximately 8m² mot stone on terram membrane and afterwards the remainder of land will be covered by temporary compound. The compound area will be at least 12 metres set back from the edge of the carriageway and will extend across the agricultural field to the east of the Cadent station.

The materials appear fit-for-purpose and the appearance will be acceptable given the temporary use of the development. The site will be reinstated to its current condition once the upgrading works be have been completed at the gas station.

Highway safety

Paragraph 109 of National Planning Policy Framework (NPPF), 2019 states that "development should only be prevented or refused on highways grounds if there will be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network will be severe."

A Civil & Structural Traffic management Plan (TMP) has been submitted in order to control the traffic flow during the construction times for safety reasons.

LCC Highways Authority has been consulted and no objection has been raised to the overall principle of developing a temporary access at such location. However, it is requested to raise to the applicant the need for contacting the Authority to ensure the development proposals comply with the Authority's specifications.

At this stage, no unacceptable impact on highway safety are anticipated by reason of the development.

Conclusion

The design and layout of the proposed vehicular access is acceptable given the purpose of the development and the temporary lifetime of the works. The applicant will reinstate the agricultural field to its current condition. Highway safety will remain in good standards once the access be used for heavy vehicles for the intended gas station works.

Taking into account the considerations above, the proposals are considered to comply with Policies 1, 2, 3 and 5 of the South East Lincolnshire Local Plan (SELLP), 2019; and Paragraphs 109 and 127 of the National Planning Policy Framework (NPFF), 2019.

It is accordingly 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.