DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H19-0007-20**	**Applicant:**	**Miss N Andrews**
Proposal:	New Vehicular Access		
Location:	11 Cross Road Sutton St Edmund Spalding		
Terminal Date:	13th October 2020		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Paragraph 11 - The presumption in favour of sustainable development
Section 9 - Promoting sustainable transport
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
NORTH LEVEL INTERNAL DRAINAGE BOARD	0	0	1	0

CASE OFFICER ASSESSMENT

PROPOSAL

This is a full application for a new vehicular access at 11 Cross Road, Sutton St Edmund, Spalding. The proposal seeks to provide a dropped kerb approximately 4.5 metres in width to the front of the property.

SITE DESCRIPTION

The proposed development is located within the built-up area of Sutton St. Edmund. The property is a two-storey semi-detached house within frontage development along the northern side of Cross Road. Whereas most of the properties are pairs of semi-detached houses in this section of the street scene, detached houses are found on the opposite side of the road.

A small number of other dwellings in the frontage also have dropped kerbs to the front elevation, with some car owners parking their vehicles on the road. In contrast, all detached properties opposite the highway benefit from vehicle access and the cars are parked on the spacious driveways.

RELEVANT PLANNING HISTORY

None

REPRESENTATIONS

LCC - County Highways & SUDS Officer

No objections

North Level District IDB

No comments.

CONSIDERATIONS

Planning Considerations

Principle of development

The proposed development is located within the settlement boundaries of Sutton St. Edmund as per South East Lincolnshire Local Plan (SELLP), 2019. The vehicular access requires planning permission given that Cross Road is a classified road.

The key material considerations are addressed below.

Design and layout

The proposed works entail the use of dropped kerbs. The selected kerbs are bull nosed. In addition to that, 6 x 2 flat top path edging will be used to form the vehicular crossover. The material of the kerbs will be Type 3 granite. Dense course bitumen, wearing course and band strips will complement the construction of the proposed access.

The resulting layout and appearance will be characteristic of such type of development and will not appear at odds with the immediacy.

Highway safety

It is not anticipated any detrimental material impact on highway safety by reason of the proposal. Whilst a roadside parking place will be removed, that place will be replaced by driveway parking to the front of the dwelling. The County Highways Authority has been consulted and no objection has been raised against the proposal.

Conclusion

In light of the considerations above, the proposed development is considered to comply with

Policies 2, 3 and 36 of the South East Lincolnshire Local Plan (2019) as well as Sections 9 and 12 of the National Planning Policy Framework (2019).

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.

RECOMMENDATION

Recommendation is for delegated approval.

This application was referred to Chairman's Panel on 29 May 2020, where it was agreed the decision could be delegated to officers.