

Development Management Delegated Decision Report

B/20/0261



SUMMARY OF APPLICATION				
Application Reference	B/20/0261			
Application Type	Full Planning Permission			
Proposal	Erection of single storey annex accommodation to be used ancillary to main dwelling			
Location	41 Carlton Road, Boston, PE21 8PA			
Applicant	Mr J Joyce			
Agent	Mr Lee Chapman, LPC Architectural Design			
Received Date:	20-Jul-2020	Consultation Expiry Date:	18-Aug-2020	
Valid Date:	20-Jul-2020	Statutory Expiry Date:	14-Sep-2020	
Date of Site Visit:	-	Extension of Time Date:	24-Sep-2020	
Objections received?	Yes – EA			
5 day notification record:				
	Councillors notified	Date	Response received – date	Ok to continue
	Cllr Goodale	14/09/2020	No	Yes
Recommendation	Grant Planning Permission			
Report by:	Emma Dennis			
Date:	14/09/2020			



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the west side of Carlton Road and has a driveway on the front and a large back garden consisting of a raised hard standing, grassed area and a cleared space at the bottom, there is a bungalow to the south but the majority of the road are detached and semi-detached properties. Carlton Road Primary school is to the south of the application site and shares a small part of the boundary

DETAILS OF PROPOSAL:

It is proposed to create annex accommodation at the bottom of the garden of 41 Carlton Road which will be used to provide living space for the applicant's parents and all power, services and drainage will be utilised from the main dwelling where possible. The annex will have facing brickwork up to floor level, vertical timber cladding to the walls, zinc type roof covering with associated flashing and trim, dark grey/black roof lights and dark grey/black aluminium windows and doors. It is proposed to replace the existing fencing around the annex but leave space around the building for maintenance.

RELEVANT HISTORY:

No recent relevant history

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

South East Lincolnshire Local Plan (2011-2036)

The following policies contained within the South East Lincolnshire Local Plan (2011-2036) (i.e. SELLP) are relevant to this application:

- Policy 2: Development Management;
- Policy 3: Design of New Development; and
- Policy 4: Approach to Flood Risk.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2019)

At the heart of the 2019 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision-making;
- Section 12: Achieving well-designed places; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Environment Agency have objected due to the absence of an acceptable Flood Risk Assessment, they requested a revised flood risk assessment that complies with requirements set out in the Planning Practice Guidance, Flood Risk and Coastal Change section. In particular the risks of flooding identified and suitable mitigation measures put in place to overcome any risks identified and demonstrates that the development will be safe, not increase risk elsewhere and where possible will reduce flood risk overall. If this cannot be achieved they are likely to maintain their objection to the application.

The agent has replied to state that “the scheme has been design as ancillary accommodation to the main dwelling and as stated in the supporting statement any occupants of the annex will be able to get refuge at first floor level within the main dwelling, also the annex floor level have been raised to 500mm above the existing ground levels. This approach endeavours to reduce the impact on surrounding properties and the overall height of the building, much the same as was agreed and approved for application Ref - B/20/0113”.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

The key considerations in regards to this application are design of the proposal, character of the area and neighbours' amenity.

Design of the proposal and character of the area

Policies 2 and 3 of the Local Plan states that developments will be permitted which will not have harmful impacts upon the character and appearance of the local area and this development is considered to have no impact as there will be no change to the buildings appearance as the proposed annex will not be viewable from the public highway as the garden is obscured by a close-boarded fence at the front of the property.

Neighbours' amenity

Policies 2 and 3 of the Local Plan require the amenities of neighbouring land users to be protected. The proposed will have a minor impact on the neighbouring properties as there is to be a replacement 2m high fence around the annexe and the hedge and existing tree are to be retained and protected during the works. There are no windows proposed in the southern elevation which shares a boundary with the bungalow (No.39 Carlton Road) and part of the school ground. There is one bedroom window on the north elevation but due to the hedge and the 2m fencing there will be minimal overlooking at number 43 Carlton Road and only rooflights proposed in the eastern elevation plus the 2m fence to protect overlooking 1 Horace Street.

In all, it is considered that the proposed annex will not cause unacceptable harm to the amenities of neighbouring land users, and therefore meet these requirements of Policies 2 and 3.

Flood risk

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. The application is accompanied by a basic flood risk assessment which proposes some limited mitigation;

- The floor level has been raised to 500mm above the existing ground level.
- The occupants of the annex will have the ability to access and evacuate the property to the first floor level of the main dwelling as refuge.
- the occupants are capable of receiving flood warnings from the Environment Agency Flood Line Warning Direct system.
- As this site is in an area that is capable of receiving flood warnings from the Environment Agency Flood Line Warning Direct system. It is recommended that the

individual Property Owner contact the Environment Agency's Flood line on 0845 988 1188 to register the property to receive an advanced warning of flooding by telephone, mobile, fax, SMS text, email, or pager. The Environment Agency aim to issue a 'severe flood warning' approximately 2 hours before existing defences are overtopped. The site should be evacuated immediately if a severe flood warning is given or if instructed to do so by the emergency authorities.

- Surface Water from the developed will be piped into new soakaway suitable for the water run-off levels with the garden of the property as shown on the scheme drawings submitted as part of this application.

This application site lies within Flood Zone 3 of the Environment Agency's indicative flood zone maps. The Environment Agency have claimed that this development of a single storey annexe within Flood Zone 3 is at risk of flooding from a tidal breach as the site lies within the area 'Danger to all' with possible flood depths of 1-1.6m in the 1 to 1000 plus climate change tidal breach scenario, have objected and requested that the annexe be two-storey with a finished floor level of 1m above ground level and flood resilient construction to a height of 300mm above the predicted flood depth and demountable defences to 600mm above FFL. It is considered that in this location it unviable to build a two storey annexe in the rear garden of the application site due to the amenity of neighbouring properties, surface water run-off and overdevelopment of the site.

Given that the submitted plans also include a safe refuge on the first floor of the main dwelling and the requirement for a Flood Warning and Evacuation Plan prior to the first use/occupation of the building this should then supplement and the confirm the measures in the Flood Risk Assessment and would be in place at times.

It is considered that the proposals meet the requirements of Policy 4.

CONCLUSION:

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 2, 3 and 4 of the SELLP and Sections 4,12 and 14 of the NPPF.

RECOMMENDATION: Grant Planning Permission

CONDITIONS / REASONS			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
<p>1. The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>			
<p>2. The development hereby permitted shall be carried out in strict accordance with the application received and in accordance with the associated plans referenced:</p>			

▪ LPC-252-02 Rev B- Proposed Scheme

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

3. The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 41 Carlton Road, Boston, identified by the site edged red on the approved plan.

Reason: To ensure the building is used in accordance with the intentions identified in the application, to prevent the creation of an additional dwelling on the site, and to comply with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan 2011-2036.

4. Prior to the first use or occupation of the development hereby permitted, a Flood Warning and Evacuation Plan shall be submitted to the Local Planning Authority for approval in writing. The Flood Warning & Evacuation Plan as approved shall be adhered to at all times when the annexe is in occupation or is available for use.

Reason: In the interests of flood risk and to accord with the objectives of policy 4 of the South East Lincolnshire Local Plan (2011-2036)

**INFORMATIVES / NOTES
TO BE INCLUDED ON/WITH DECISION NOTICE**

STATEMENT OF PROACTIVE WORKING:

In determining this application, the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework 2019 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.