

Development Management Delegated Decision Report

B/20/0309



SUMMARY OF APPLICATION

Application Reference	B/20/0309		
Application Type	Full Planning Permission		
Proposal	Erection of a new single storey annexe following demolition of existing derelict outbuilding for ancillary use to the main dwelling		
Location	2, Fishmere End Road, Sutterton, Boston, PE20 2HX		
Applicant	Mr & Mrs M Dunning		
Agent	Mr Richard Diggle, Richard J Diggle Ltd		
Received Date:	20-Aug-2020	Consultation Expiry Date:	17-Sept-2020
Valid Date:	26-Aug-2020	Statutory Expiry Date:	21-Oct-2020
Date of Site Visit:	30-Sept-2020	Extension of Time Date:	
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission.		
Report by:	Simon Eldred		
Date:	30 th September 2020		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the southern side of Fishmere End Road, with agricultural land to its south and north (on the opposite side of the Road), and dwellings to its west and east. The site contains a two-storey, semi-detached dwelling with existing front and side extensions, and a rear extension currently under construction. There are gardens to front and rear of the dwelling, with several outbuildings in the rear garden.

DETAILS OF PROPOSAL:

It is proposed to:

- demolish existing outbuildings; and
- erect a single storey residential annexe in their place, which will be located approximately 80cm from the site's western boundary. The annexe will provide self-contained living accommodation comprising a living room, a kitchen, a bathroom, and a bedroom. The annexe will measure 5.2m x 13m in plan and will stand approximately 3.9m high at ridge level (2.8m at eaves level). It will be constructed in red facing bricks



and red concrete roof tiles (to match materials on the main dwelling) and will have: windows and glazed doors in its eastern elevation; french-doors in its southern elevation (which will open onto a 5.2m x 1.5m decked area); and high-level windows in its western elevation. The internal floor level will be approximately 600mm above the surrounding ground-level, and therefore an access ramp will be provided on the annexe's eastern elevation.

RELEVANT HISTORY:

In 2014, full planning permission (B/14/0359) was granted for the erection of a two-storey side extension with rear first-floor projection.

In 2019, full planning permission (B/19/0417) was granted for a single-storey rear extension following the demolition of existing kitchen and conservatory.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036 (adopted March 2019)** identifies the site as being within the Countryside more than 1.3km from the nearest Settlement Boundary (Kirton). No other Local Plan designations or allocations apply. Relevant policies are:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk; and
- Policy 30: Pollution.

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.

CONSULTATION RESPONSES:

Sutton Parish Council indicates that it has no objections.

Lincolnshire County Council (as Local Highway and Lead Local Flood Authority) concludes that the proposed development is acceptable and, accordingly, does not wish to object.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise.

The key considerations with respect to this application are: matters of principle; impact on the character and appearance of the area; impacts upon neighbours' amenity; and flood risk.

Principle

Policy 1 of the Local Plan identifies that, in the Countryside, development will be permitted that is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Provided the use of the annexe is ancillary to that of the main dwelling, it is considered that it meets these requirements of Policy 1. However, it will be necessary to apply a condition to ensure that the annexe will be occupied only for purposes ancillary to the residential use of 2 Fishmere End Road, Sutterton, PE20 2HX.

Character of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

The proposed annexe will be visible from Fishmere End Road, and therefore has the potential to impact upon the character and appearance of the area. However:

- it is modest in scale and will be set back behind the main dwelling;
- its design is entirely in keeping with that of the main dwelling, and other buildings in the locality;
- the materials in which it is proposed to be constructed are identical to those used in the main dwelling; and
- the annexe will not appear as a separate dwelling, given its scale and that the parking/garden areas of the curtilage will be shared by the main dwelling and the annexe. The main dwelling and the annexe will appear functionally linked, and will fall within the same planning unit as defined by the red line which defines the application site.

The proposed annexe will not undermine the appearance of the approved main dwelling and the great majority of the dwelling's curtilage will remain undeveloped. In all, it is considered that the proposal will not have any harmful impacts upon the area's character or appearance and will therefore meet these requirements of Policy 2.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan require the amenities of neighbouring land users to be protected. The application site has agricultural land to its north and south, and it is considered that the proposed annexe will not have any adverse impacts upon these neighbouring land users. Furthermore, given the annexe's modest scale and location at least 15m from the boundary with the dwelling to the east (1 Fishmere End Road), it is considered that it will have no adverse effects upon this dwelling. However, potential impacts upon the dwelling to the west (3 Fishmere End Road) require more detailed consideration.

The annexe is proposed to be located within 80cm of the boundary with 3 Fishmere End – approximately the same distance as the existing outbuildings it will replace. It is noted the annexe will be slightly taller (2.8m at eaves level, as opposed to the estimated 2.6m of the taller of the existing outbuildings) and slightly longer than the existing outbuilding. Taking into

account the difference it is considered that any adverse impacts upon no. 3 in terms of over-shadowing, loss of light, or harm to outlook will not be materially worse than those caused by the existing outbuildings.

The proposed annexe has two windows in its western elevation which would face towards the neighbouring property and garden. The sills of the windows are approximately 1.5m above the finished floor level and are considered to be high level. Notwithstanding the presence of the boundary hedge it is considered, given the height of the windows above finished floor level that views would be more directed skyward and not horizontally towards the neighbouring property and garden.

Equally views from the French-doors and deck at the southern elevation would be towards the rearmost part of the garden and not the neighbouring property of the immediate private garden space. Consequently, it is considered that the annexe will have no significant adverse impact upon no. 3 in terms of overlooking or loss of privacy.

In all, it is considered that the proposal will have no harmful impacts on the amenity of neighbouring land users and that it therefore meets the requirements of Policies 2, 3 and 30.

Flood risk

Policy 4 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 Flood Risk Assessment (FRA) which identifies potential sources and likely severity of flooding, and indicates that it is not possible for the development to be located in a zone with a lower probability of flooding - given that the proposed annexe will provide accommodation for an elderly relative of the residents of 2 Fishmere End Road, who are his carers. The FRA therefore argues that the sequential test is passed.

The FRA and Design and Access Statement (DAS) which accompany the application indicates that:

- the finished floor level of the annexe will be above predicted flood levels; and
- flood resilient construction will be included to a height of 300mm above the predicted flood depth, i.e. all electrical and communications wiring will be fixed more than 300mm above finished floor level, closed cell insulation will be used on any pipework which is below the predicted flood level, and any boiler units and ancillary services will be installed more than 300mm above finished floor level.

They argue that the development provides wider sustainability benefits to the community that outweigh flood risk, and that the development will be safe for its lifetime, i.e. that the exception test is passed.

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

CONCLUSION:

The proposal:

- will have no unacceptably adverse impacts on the character and appearance of the area;
- will have no unacceptably adverse impacts on neighbours' amenity;

- is acceptable in flood risk terms; and
- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	
Agreed with applicant/agent - Date:	
1	<p>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>
2	<p>The development hereby permitted shall be carried out in strict accordance with the application received 20-Aug-2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Location Plan; and • Drawing Number 20-1355-01A – Floor Plan, Typical Section, Elevations, Existing and Proposed Site Plans <p>Reason: To ensure the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2, 3, 4 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>
3	<p>The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the existing dwelling at 2 Fishmere End Road, Sutterton, Boston, PE20 2HX as identified by the site edged red on the approved Location Plan.</p> <p>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, 4 and 30 of the South East Lincolnshire Local Plan 2011-2036.</p>

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.

The Applicant is advised to sign up to the Environment Agency's Flood Warning system.
