

# Development Management Delegated Decision Report

B/20/0321



## SUMMARY OF APPLICATION

<b>Application Reference</b>	B/20/0321		
<b>Application Type</b>	Full Planning Permission		
<b>Proposal</b>	Proposed garage/outbuilding following removal of existing outbuilding		
<b>Location</b>	The Old Shop, Wainfleet Road, Old Leake, Boston, PE22 9HT		
<b>Applicant</b>	Mr Bennett, c/o Neil Dowlman Architecture Ltd		
<b>Agent</b>	Mr Neil Dowlman, Neil Dowlman Architecture Ltd		
<b>Received Date:</b>	02-Sep-2020	<b>Consultation Expiry Date:</b>	01-Oct-2020
<b>Valid Date:</b>	08-Sep-2020	<b>Statutory Expiry Date:</b>	<b>03-Nov-2020</b>
<b>Date of Site Visit:</b>	05-Oct-2020	<b>Extension of Time Date:</b>	
<b>Objections received?</b>	No		
<b>5 day notification record:</b>	Not applicable		
<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation</b>	GRANT Full Planning Permission		
<b>Report by:</b>	Grant Fixter		
<b>Date:</b>	20/10/20		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site comprises the dwelling 'The Old Shop' and its associated curtilage off Wainfleet Road, Old Leake. The site is defined as being within the countryside in the South East Lincolnshire Local Plan. There is residential development to the east and west of the application site, with the Established Employment Site allocation (OL001) to the south and a yard to the north. The general character of the wider area is predominantly agricultural.

### DETAILS OF PROPOSAL:

This application seeks full planning permission for the erection of a detached garage/outbuilding located within the curtilage of the associated dwelling. There were concerns with the general scale of the original design and following positive discussions with the agent, the scheme has since been amended.

The proposal will measure 6 metres by 16 metres, with the height measuring approximately 3.76 metres to the eaves and 6.14 metres to the ridge.



The roofing will consist of vertical steel sheeting to resemble clay pantiles and the build itself will comprise black steel sheeting to reflect horizontal boarding.

Full details of the proposal can be seen on the following plan:

- B3451-2001B – Proposed Elevations and Floor Plans

### **RELEVANT HISTORY:**

There is no relevant planning history for this site. There are, however, three applications involving the dwelling to the east which are considerations when determining this proposal and these are outlined below:

- B/12/0221 - Proposed two storey side and rear extensions to existing dwelling – Approved on 24/09/2012
- B/12/0221/NMA - Application under S.96A for a non-material amendment to approval B/12/0221 (Proposed two storey side and rear extensions to existing dwelling) to make amendments to the overall design – Approved on 09/04/2014
- B/12/0221/NMA2 - Application under s.96a for a non material amendment to approval B/12/0221 (Proposed two storey side and rear extensions to existing dwelling) to construct a pitched roof over porch and bay windows – 08/02/2017

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

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;
- Policy 4: Approach to Flood Risk.

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

At the heart of the **National Planning Policy Framework (2019)** 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;
- Section 14: Meeting the challenge of climate change, flooding and coastal change

### **CONSULTATION RESPONSES:**

#### Witham Fourth Internal Drainage Board

Stated if there is any change to the surface water or treated water disposal arrangements stated in the application then the Board needs to be contacted.

#### Old Leake Parish Council

Did not comment.

### **THIRD PARTY REPRESENTATIONS RECEIVED:**

No third party representations were received.

## **EVALUATION:**

The key considerations in regards to this application are set out below:

- Impact on the character and appearance of the area;
- Effect on amenity; and,
- Flood risk.

### **Impact on the character and appearance of the area**

Policy 2 of the SELLP states that proposals requiring planning permission will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area as well as the quality of its design and orientation.

Policy 3 of the SELLP states all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

The proposal is for the erection of a detached garage/ outbuilding following the removal of an outbuilding within the curtilage of the existing dwelling. The siting of the proposed outbuilding will be immediately adjacent to the rear boundary of the dwelling's curtilage. Albeit the dimensions of the garage/ outbuilding are rather large, measuring 6.14 metres to the ridge, it is considered the proposal is on the cusp of acceptability.

The roofing will consist of vertical steel sheeting to resemble clay pantiles and the build itself will comprise black steel sheeting to reflect horizontal boarding.

The dwellings along the street frontage are two storey in nature and by siting the proposal along the rear boundary, the impact on the character of the area will be less substantial and the break in frontage development between 'The Old Shop' and the dwelling to the east will be retained.

The original scheme was deemed too excessive in scale and would not have been viewed favourably. Following the removal of the proposed weather vane and clock face, the scale of the proposal was reduced by over 1.5 metres. Again, with the changes the application is on the absolute limit of acceptability.

The fact the proposal is only for a garage/outbuilding also helps alleviate concerns regarding the character and appearance of the area. Should the application have been for something other than a domestic garage/outbuilding for domestic use in connection with the dwelling, the impacts would have been more severe, especially if the proposal was for a dwelling or another use.

Due to the nature of the proposal, its siting and the scale being reduced, albeit at the limit of acceptability, it is deemed the character of the area will not be adversely affected. The proposal, therefore, complies with SELLP Policies 2 and 3.

### **Effect on amenity**

SELLP Policy 2 and 3 seek to ensure that a new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

As previously stated, there are three applications in relation to the dwelling east of the proposal which are considerations when determining this application. For ease of reference, these are:

- B/12/0221 - Proposed two storey side and rear extensions to existing dwelling – Approved on 24/09/2012;
- B/12/0221/NMA - Application under S.96A for a non-material amendment to approval B/12/0221 (Proposed two storey side and rear extensions to existing dwelling) to make amendments to the overall design – Approved on 09/04/2014;
- B/12/0221/NMA2 - Application under s.96a for a non-material amendment to approval B/12/0221 (Proposed two storey side and rear extensions to existing dwelling) to construct a pitched roof over porch and bay windows – 08/02/2017.

At the time of attending site, it was noted only the side extension had been constructed and the Officer could not see any evidence of the rear extension commencing, albeit they did not have access to the neighbouring property. Even so, by virtue of completing the side extension the permission is extant and the rear extension could commence at any point. This, therefore, is a material consideration.

Regarding the dwelling to the east, at present there are two first floor windows on the rear elevation. It is believed the middle window serves an ensuite or bathroom, with the other serving the master bedroom which was constructed as part of the approved side extension.

The approved rear extension will comprise a kitchen, entrance lobby and garage on the ground floor, with a further bedroom and office on the first floor. There is no provision for additional windows on the western elevation of the approved rear extension, meaning there will be no overlooking issues should the extension eventually be constructed.

The proposed garage will be slightly smaller in height compared to the approved rear extension on the adjacent property and it is considered no overbearing or overshadowing will incur as a result of the proposal.

Furthermore, as the proposal is for a domestic garage and outbuilding it should not cause harm to the adjacent property as long as it is used for domestic uses in connection with the domestic dwelling under the applicants ownership. Should that be the case, the development as proposed will not be significantly detrimental to neighbouring amenity and satisfies SELLP Policies 2 and 3 in respect of the effect on residential amenity.

### Flood risk

Policy 4 of the SELLP state a proposed development within an area of flood risk (Flood Zones 2 and 3) will be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding, the proposed works are essential infrastructure, and appropriate flood mitigation measures have been put in place. Development within all flood zones (and development larger than 1 hectare in Flood Zone 1) will need to demonstrate that surface water from the development can be managed whilst not increasing the risk of flooding to third parties.

The application site is located within Flood Zone 3, however, it is considered the works would not increase the flood risk in the area or have an adverse effect on surface water.

### **CONCLUSION:**

The proposal is for a detached garage/ outbuilding and as proposed, as long as it is for domestic uses in connection with the dwelling, there will be no adverse impact on the amenity or character of the area and is, therefore, deemed acceptable.

### **RECOMMENDATION:**

GRANT Full Planning Permission subject to the following condition(s) and reason:-

<b>CONDITIONS / REASONS</b>	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
<p>The development hereby permitted shall be begun before the expiration of four years from the date of this permission.</p> <p><b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>	
<p>The development hereby permitted shall be carried out in strict accordance with the application received on 08/09/2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> <li>• Flood Risk Assessment;</li> <li>• Site Location Plan; and,</li> <li>• B3451-2001B – Proposed Block Plan, Elevations and Floor Plan.</li> </ul> <p><b>Reason:</b> In order to ensure that the development is undertaken in accordance with the details assessed, in the interests of the amenity and character of the area, to accord with policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036).</p>	
<p>The outbuilding hereby granted planning permission shall only be used for the storage of private vehicles, and/or storage of trailers and other equipment incidental to the domestic enjoyment of the occupiers and their visitors of the dwellinghouse. No trade or business shall be carried on therefrom.</p> <p><b>Reason</b> – To ensure the building is used ancillary to the main dwelling and that remains so in perpetuity to protect the character of the surrounding area and the level of amenity for neighbouring properties in accordance with Policies 2, 3 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.