

Development Management Delegated Decision Report

B/20/0330



SUMMARY OF APPLICATION

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Application Reference	B/20/0330		
Application Type	Full Planning Permission		
Proposal	Installation of dropped kerb		
Location	109, Eastwood Road, Fishtoft, Boston, PE21 0PW		
Applicant	Richard Priem		
Agent	Not applicable		
Received Date:	09-Sep-2020	Consultation Expiry Date:	02-Oct-2020
Valid Date:	09-Sep-2020	Statutory Expiry Date:	04-Nov-2020
Date of Site Visit:	05-Oct-2020	Extension of Time Date:	
Objections received?	No		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Full Planning Permission		
Report by:	Grant Fixter		
Date:	16/10/2020		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site relates to a section of the front amenity area for 109 Eastwood Road, Fishtoft and is located within the defined settlement boundary. The frontage of the property comprises a driveway with an existing dropped kerb, with fencing and a grass verge to the east of the existing access. The site is essentially surrounded by residential development.

DETAILS OF PROPOSAL:

The proposal is for the installation of a dropped kerb which will help achieve easier access to the applicant's garage.

After seeking clarification from the applicant, it was confirmed that:

- The existing dropped kerb will remain;
- The area of excavated grass will be limited to that outlined in red on the Location Plan;
- Some sort of front boundary treatment will be retained as the fence panels between the existing and proposed dropped kerb will remain.

Details of the proposal are shown on the following plan:



- Plan 1/Oct2020

RELEVANT HISTORY:

There is no relevant planning history.

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.

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.

CONSULTATION RESPONSES:

Witham Fourth Internal Drainage Board

- Did not have any comments to make.

Fishtoft Parish Council

- Did not comment.

Lincolnshire County Council (Local Highway and Lead Local Flood Authority)

- 29/10/20 – wanted clarification on the applicant's intentions with the existing vehicle access.
- 07/10/20 – does not wish to restrict the grant of permission and indicated the works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act.

THIRD PARTY REPRESENTATIONS RECEIVED:

One third party representation was received from the occupiers of 101 Eastwood Road, Fishtoft who stated they support the application and have no objections.

EVALUATION:

The key considerations in regards to this application are:

- Impact on highway safety;
- Impact on the character and appearance of the area; and,
- Impact on neighbouring amenity.

Impact on highway safety

The area that would accommodate the new dropped kerb is currently a grass verge, fencing and the amenity space to the front of the property. Part of the fencing would need to be removed to facilitate the new access. This part of Eastwood Road has good visibility in both directions meaning limited risk would occur to users of the highway.

It should be noted that no concerns have been raised by the Local Highways Authority. It is therefore concluded that the proposal is acceptable in terms of highway safety and accords with Policies 2 and 3 of the SELLP.

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.

Initially when assessing the application, there were concerns relating to the potential impact on the character of the area, as it was unclear as to what was going to happen to the existing access in addition to the frontage of the site.

The Council deemed it important that the grass area to be excavated should be limited to that outlined in red on the Location Plan provided and some sort of frontage feature should be retained where possible. The applicant clarified that the fencing would remain where possible and the grass to be excavated was limited to that shown on the plan.

The applicant also wishes to retain the existing dropped kerb. It is not common amongst the surrounding development to have two dropped kerbs for access to properties, however, this would not present undue harm to the character of the area.

The removal of a small part of the grass verge and fencing along the frontage are the only minor alterations proposed and it is considered that these works would not cause undue harm to the general character and appearance of this rural area.

It is thus considered that the proposal would conform with Policies 2 and 3 of the SELLP.

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.

The only changes this proposal would see is easier access to the applicant's garage. There would be no increase in vehicular movements to and from the site as a result of this proposal.

It is considered that any impact to the occupiers of this dwelling and other dwellings in the area would be negligible. No further concerns are raised.

In respect of the impact on the occupiers of nearby dwellings, the proposal is considered to accord with Policies 2 and 3 of the SELLP.

CONCLUSION:

To conclude, the proposal is considered to be an acceptable form of development that accords with Policies 2 and 3 of the SELLP.

RECOMMENDATION:

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

CONDITIONS / REASONS			
Pre-commencement conditions?	No	Agreed with applicant/agent - Date:	N/A
The development hereby permitted shall be begun before the expiration of four years from the date of this permission. Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.			
The development hereby permitted shall be carried out in strict accordance with the application received on 09/09/20 and in accordance with the associated plans referenced: <ul style="list-style-type: none">• Site Location Plan;• Plan 1/Oct2020 – Details of the proposed works. Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2019).			

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk

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.
