

SUMMARY OF APPLICATION

Application Reference	B/20/0387		
Application Type	Full Planning Permission		
Proposal	Proposed Residential Dwelling		
Location	Land adjacent to Burton Corner, Sibsey Road, Boston PE21 9QR		
Applicant	Mr Allen		
Agent	Simon Robinson, Studio 21 Design Ltd		
Received Date:	09-Oct-2020	Consultation Expiry Date:	02-Dec-2020
Valid Date:	29-Oct-2020	Statutory Expiry Date:	24-Dec-2020
Date of Site Visit:	10-Nov-2020	Extension of Time Date:	14-Jan-2021
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:	04/01/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site comprises a parcel of grassland off Sibsey Road Boston, with the South East Lincolnshire Local Plan identifying the site to be within the settlement boundary for Boston. The site is approximately 60 metres north east of the Boston Conservation Area. The application site is essentially bounded by mature vegetation, with Spilsby Road to the west where there is an existing access to the site.

The site is essentially surrounded by development, with residential dwellings to the north and west, with the Grade II* listed Burton Hall and Grade II Stables at Burton Hall to the east.

DETAILS OF PROPOSAL:

This proposal seeks full planning permission for one residential dwelling. The submission shows the dwelling to be two storey with three bedrooms, a double garage, above which is a study.

By virtue of the site being adjacent to the Grade II* listed Burton Hall, any proposal needs to be sensitive to and respect the setting of the listed building. Based on the original submission,



the officer had a number of concerns and raised these with the agent, as without overcoming these, it would have likely been a refusal.

These concerns were around the choice of external materials, the extent of brickwork between cill height and ground floor level, in addition to the Heritage Impact Assessment not setting out what the public benefits of the scheme were, as the Assessment deemed the proposal would have less than significant harm on Burton Hall.

A revised scheme was submitted which took account of all the officers comments and provided a more appropriate design given the sensitivity of the site. Full details of the revised scheme are shown on the following plans:

- Site Location Plan;
- 12-424-02-RevB – Proposed Ground Floor Plan;
- 12-424-03-RevB – Proposed First Floor Plan.
- 12-424-04-RevB – Proposed Elevations;
- 12-424-05-RevB – Proposed Elevations.
- 12-424-06-RevB – Proposed Site Plan;
- 12-424-07-RevA – Tree Survey Plan

RELEVANT HISTORY:

There is no relevant planning 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 1 – Spatial Strategy
- Policy 2 – Development Management
- Policy 3 – Design of New Development
- Policy 4 – Approach to Flood Risk
- Policy 5 – Meeting Physical Infrastructure and Service Needs
- Policy 10 – Meeting Assessed Housing Needs
- Policy 11 – Distribution of New Housing
- Policy 17 – Providing a Mix of Housing
- Policy 29 – The Historic Environment;
- Policy 30 – Pollution
- Policy 31 – Climate Change and Renewable and Low Carbon Energy
- Policy 36 – Vehicle and Cycle Parking

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 2 – Achieving Sustainable Development;
- Section 4 – Decision Making;
- Section 5 – Delivering a Sufficient Supply of Homes;
- Section 11 – Making Effective Use of Land;
- Section 12 – Achieving Well-designed Places;
- Section 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change;
- Section 16 – Conserving and Enhancing the Historic Environment.

CONSULTATION RESPONSES:

Witham Fourth Internal Drainage Board

Do not object and commented to say the Board's consent is required to discharge surface and treated water to a watercourse. Should there be any changes to the disposal arrangements stated in this application, the Board request to be contacted.

Fishtoft Parish Council

Have no objections but request a highway safety report.

Historic England

Do not wish to offer any comments.

Environmental Health

Have no objections.

Historic Conservation Advisor

Has no objections and make the following comments:

- Site is adjacent to the Grade II* Burton Hall, and also within the setting of the Spilsby Road Conservation Area;
- Any proposals need to preserve or enhance the setting of the conservation area and listed building and not adversely affect it;
- Open space either side of Burton Hall protects its setting and contributes to character of the listed building;
- This proposal would encroach on this open space yet the boundary treatments are substantial meaning there is limited inter-visibility;
- Whilst the setting of Burton Hall will be impacted, this will be limited by virtue of existing suburban development within the setting, in addition to strong boundary treatments.

Lincolnshire County Council

Do not object but made the following comments and requests:

- Pre-commencement condition for details of 'KEEP CLEAR' markings and relocation of existing road markings to be submitted to and approved by the LPA;

- Should there be 'KEEP CLEAR' markings, the vehicle movements associated with one dwelling would not cause unacceptable impacts upon highway safety;
- Should the site be developed for more than one dwelling, there would be grounds to refuse based on the unacceptable impacts on the highway network.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

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

- Principle of development;
- Impact on the character and appearance of the area;
- Impact on residential amenity;
- Highway safety and parking;
- Flood risk.

Principle of development

Policy 1 of the SELLP sets out the settlement hierarchy, stating development will be permitted within the settlement boundaries of the respective settlements providing the proposal supports the designated role of the settlement in which it is to be executed. Applications in the countryside (outside of settlement boundaries) will be approved provided it is necessary to its location and/ or can be demonstrated that it meets sustainable development needs of the area.

As shown on 'Inset Map 1 – Boston' of the SELLP, the site is located within the settlement boundary of Boston which is deemed a Sub Regional Centre. Development within Sub-Regional Centres will be supported, providing it is within the settlement boundaries which will help fulfil their role.

The provision of one dwelling would make a limited, but positive contribution to housing supply. The principle of residential development on this site is acceptable subject to the objectives of the relevant policies in the SELLP as identified above being met.

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.

Policy 29 of the SELLP relates to the historic environment. Any proposals within the setting of a Listed Building or Conservation Area should preserve, enhance, or reinforce features that positively contribute to the areas setting and appearance.

Policy 30 of the SELLP will not be permitted where proposals will have adverse impacts upon aspects such as the amenities of the area and the historic environment.

In terms of general comments on the character of the area, this proposal is for one dwelling on a piece of open grassland within the settlement boundary for Boston. The site is essentially surrounded by development, with residential dwellings to the north and west, with the Grade II* Burton Hall to the east. The residential development to the north is a new large housing estate which is currently under construction.

There is established mature planting surrounding the site which helps achieve appropriate screening levels.

The development would not appear cramped and is of an appropriate size, scale and materials.

Historic environment

Upon review of the initial submission, the officer had some concerns regarding the impact on the historic environment.

In order to incorporate flood safety measures, the ground floor level was raised, which led to an increase in height between the ground floor level and cill height. The additional brickwork was noticeable and there were no additional details proposed to combat this. Furthermore, it was proposed to use buff brick. The officer deemed this would not achieve a good design and would detract from the character of the area, in addition to not being in keeping with the historic environment.

Upon raising this with the agent, a revised scheme was submitted which comprised a red brick build, in addition to re-grading the land rather than raising the finished floor level of the dwelling. This removed the additional brickwork and used a more appropriate brick which is in keeping with Burton Hall. The identified concerns were overcome and it was deemed the design was no longer an issue and respected the historic environment.

The initial Heritage Impact Assessment stated that the proposal would lead to less than substantial harm, with paragraph 196 of the NPPF stating

“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”

Whilst the officer agreed with the findings of the assessment and the Historic Conservation Advisor, the public benefits of the proposal had not been established, which is a requirement in the NPPF.

A revised Heritage Impact Assessment was submitted which outlined the public benefits of the proposal:

- Creation of local jobs;
- Money to local businesses through purchase of materials;
- Contribution to the Council's 5 year land supply.

Any concerns regarding the historic environment were raised with the agent and subsequently addressed. In addition, the site is effectively screened by mature planting, making inter-visibility between the site and Burton Hall extremely minimal. The setting of the Listed Building and Conservation Area will not be negatively impacted and advice from the Historic Conservation Advisor was somewhat positive.

It is considered the proposal is acceptable and complies with Local Plan Policies 2, 3, 29 and 30 in respect of the character of the area and the historic environment.

Impact on residential 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 application site is located off Sibsey Road where there is an existing access. The vehicle movements generated by one dwelling will neither negatively impact highway safety, nor cause detrimental impacts on neighbouring amenities.

There is a new housing estate under construction to the north, the Grade II* Burton Hall to the east and residential development to the west. The proposal is for one dwelling and the site is effectively screened, meaning there will be no loss of privacy or outlook, in addition to there being no overbearing, overshadowing or loss of light on neighbouring uses.

It is considered that the proposal complies with policies 2 & 3 of the SELLP in respect of residential amenity.

Highway safety and parking

Policy 36: Appendix 6 of the SELLP relates to parking standards. It requires 2 spaces for dwellings with up to 3 bedrooms and 3 spaces for dwellings with 4 or more bedrooms. It also requires 1 cycle space within each residential plot.

The submitted plans show a double garage which has provision for two spaces, in addition to parking provision on the proposed driveway. A turning head is proposed to allow vehicles to enter and leave the site in a forward gear. The proposal, therefore, is acceptable in terms of parking provision and entering/ leaving the site.

The main area of concern was entering and leaving the site, particularly when turning right into the site. The Local Highway Authority shared these concerns, stating in order for them to support the application, 'KEEP CLEAR' markings would need to be provided to prevent unacceptable impacts on highway safety. Should there ever be a proposal to increase the number of dwellings on site, they would likely object as it would create unacceptable impacts on highway safety.

The proposal will make use of an existing access onto Sibsey Road and the Highway Authority do not object subject to the provision of 'KEEP CLEAR' markings to ensure there will be no negative impacts on highway safety.

The proposal is, therefore, acceptable on highway safety and parking grounds subject to the information submitted in respect of the required road markings.

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. 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 within Flood Zone 3 and has a hazard rating of danger for most, with flooding most likely to happen when tidal defences are breached, from the Maud Foster, Cowbridge and Hobhole drains and surface water flooding.

A Flood Risk Assessment forms part of this submission which outlines a number of mitigation measures that should be included in the design of the proposal, these have been secured through a planning condition.

In respect of how surface water would be managed, the only information supplied were the markings outlined on the Proposed Site Plan, which identify soakaways and a foul water treatment plant for foul water. Whilst it is believed surface water flooding can be overcome by an effective surface water strategy, not enough information has been submitted with this submission to avoid further details being sought via planning condition.

It is deemed the proposal would not increase the flood risk in the area or have an adverse effect on surface water.

CONCLUSION:

When considering the planning balance for this application, the main factors to consider are the impacts on the historic environment and highway safety.

The principle of development is acceptable as the site is within the settlement boundary for Boston and it has been demonstrated the proposal complies with local and national policy.

The proposal was redesigned to achieve a better quality dwelling which respected the historic environment, in addition to a revised Heritage Impact Assessment outlining the public benefits that would arise from this proposal.

Highway safety has been ensured through the use of an existing access and the requirement for 'KEEP CLEAR' markings on the road.

Albeit it a small contribution, the provision of one dwelling will help the Borough maintain its 5 year land supply.

The proposal complies with both local and national policy and is, therefore, deemed acceptable.

RECOMMENDATION:

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

CONDITIONS / REASONS	
Pre-commencement conditions?	Yes Agreed with applicant/agent - Date: 07/01/2021
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 on 29/10/2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Site Location Plan; • 12-424-06-RevB – Proposed Site Plan; • 12-424-07-RevA – Tree Survey Plan; • 12-424-02-RevB – Proposed Ground Floor Plan; • 12-424-03-RevB – Proposed First Floor Plan. • 12-424-04-RevB – Proposed Elevations; • 12-424-05-RevB – Proposed Elevations. <p>Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2019).</p>
3	<p>Prior to the commencement of the development hereby permitted, details regarding road markings shall be submitted to and approved in writing by the Local Planning Authority. The details to be included are:</p> <ul style="list-style-type: none"> • 'KEEP CLEAR' road markings to be provided on the carriageway of the south-bound lane of Sibsey Road, adjacent to the site access; • The location of new direction arrow lane markings on the carriageway following the removal of those existing to facilitate the 'KEEP CLEAR' markings. <p>The development shall then be carried out in strict accordance with the approved details.</p> <p>Reason: In the interests of highway safety and to provide a suitable gap in any stationary south-bound traffic that may be queuing back from the A16/A52 junction, through which vehicles may be able to pass unimpeded in order to turn right into the</p>

	access of the dwelling hereby permitted in accordance with Policy 2 of the South East Lincolnshire Plan (2011- 2036).
4	<p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Burton Corner, Sibsey Road, Boston PE21 9QR /S M Hemmings and the following mitigation measures detailed within the FRA:</p> <ul style="list-style-type: none"> • All sleeping accommodation shall be on the first floor; • Ground floor finish level shall have a minimum level of 3.1m ODN; • Flood resilient construction shall be included to a height of 300mm above the predicted flood depth; • Owner and occupier will register with the Environment Agency's Floodline Warnings Direct Service. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place thereafter.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants, in addition to providing the appropriate level of protection in accordance with the National Planning Policy Framework and Policies 2 and 4 of the South East Lincolnshire Plan (2011- 2036).</p>
5	<p>No above ground works shall take place until a scheme for the disposal of foul and surface water from the site has been submitted to and approved in writing by the Local Planning Authority. Unless otherwise agreed in writing with the Local Planning Authority, the scheme shall include:</p> <ul style="list-style-type: none"> (i) separate systems for the disposal of foul and surface water; (ii) details of the rate of surface water discharge from the site to any soakaway, watercourse or sewer, including provisions to ensure that the post-development discharge rate does not exceed the pre-development rate (incorporating an appropriate allowance for climate change); (iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and (iv) details of how the scheme will be maintained and managed after completion. <p>The scheme shall be implemented in accordance with the duly approved details before the dwelling is first occupied, and shall be maintained and managed as such thereafter.</p> <p>Reason: To ensure that the development is not at risk of flooding and does not increase flood risk elsewhere, and that adequate measures are put in place for the disposal of foul and surface water in accordance with the requirements of Policy 2 and 4 of the South East Lincolnshire Local Plan (2011- 2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

Highway Informative 08

Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works.

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.