

Development Management Delegated Decision Report

B/20/0439



| SUMMARY OF APPLICATION | | | | |
|---|---|----------------------------------|---------------------------------|-----------------------|
| Application Reference | B/20/0439 | | | |
| Application Type | Full Planning Permission | | | |
| Proposal | Construction of 2no. Chalet Bungalows with integral Garages | | | |
| Location | Plots 7 and 8 Freshney Way, Boston, PE21 7PZ | | | |
| Applicant | Mr Roy Hutton | | | |
| Agent | Mr Terry Sykes, Terry Sykes(Design and Build) | | | |
| Received Date: | 05-Nov-2020 | Consultation Expiry Date: | 09-Dec-2020 | |
| Valid Date: | 12-Nov-2020 | Statutory Expiry Date: | 07-Jan-2021 | |
| Date of Site Visit: | 18-Nov-2020 | Extension of Time Date: | | |
| Objections received? | No | | | |
| 5 day notification record: Not applicable | | | | |
| | Councillors notified | Date | Response received – date | Ok to continue |
| | | | | |
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| | | | | |
| Recommendation | GRANT Full Planning Permission | | | |
| Report by: | Grant Fixter | | | |
| Date: | 21/12/2020 | | | |



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site comprises a parcel of grassland off Freshney Way, Boston. The South East Lincolnshire Local Plan shows the site to be within the settlement boundary of Boston, in addition to comprising part of the housing allocation 'Wes001'. The site is bounded by fencing and planting to the north and east, with Freshney Way to the south and the remainder of the housing allocation to the west. There is residential development to the north, east and south.

DETAILS OF PROPOSAL:

This application seeks Full Planning Permission for the erection of 2 chalet bungalows with internal garages. Each dwelling will comprise 3 bedrooms and have raised floor levels to ensure the properties are safe from flood risk.

The scale of the dwellings will match those adjacent to the site and full details of the proposal are shown on the following plans:

- Location Plan;
- Block Plan;
- TS.HTW.2020.02 – Proposed Floor Plans and Elevations for Plot 7;
- TS.HTW.2020.02 – Proposed Floor Plans and Elevations for Plot 8.

RELEVANT HISTORY:

- B/07/0324 - Construction of two storey detached house and garage with temporary siting of caravan – Refused on 01/08/2007.

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 28: The Natural Environment;
- 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 15: Conserving and enhancing the natural environment.

CONSULTATION RESPONSES:

Black Suice Internal Drainage Board

Did not respond.

Lincolnshire County Council

Have no objections and requested a condition be attached to any permission

Lincolnshire Wildlife Trust

Did not respond.

THIRD PARTY REPRESENTATIONS RECEIVED:

One third party representation was received from the occupiers of 270 Sleaford Road, Boston, who do not object but made the following comments:

- Plot 8 would be directly behind their property;
- No objection but is concerned about the hedge at the bottom of their garden;
- Would no longer have access to cut it and feels a fence would be more suitable;
- Wonders if purchasers/ developers would replace their hedge with a fence.

The boundary in question is something the officer was already aware of and, of course, future amenity is a material planning consideration for this application.

Given the content of the comments and they say they are not objecting, it is not considered these constitute objections to this proposal so it is not necessary for Ward members to be consulted through this Council's delegated powers procedure.

EVALUATION:

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

- Principle of development;
- Impact on the character and appearance of the area;
- Impact on residential amenity;
- Impact on the natural environment;
- 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.

Policy 10 of the SELLP outlines the provisions made for new dwellings in the Borough over the plan period.

Policy 11 of the SELLP states the housing allocations in the appropriate settlements.

Boston is identified as a Sub Regional Centre in the SELLP, with Inset Map 1 – Boston showing the site to be within the settlement boundary and comprising part of the housing allocation 'Wes001'. The SELLP indicates that Sub Regional Centres should be the main focus of appropriate development and growth.

The provision of two dwellings would make a limited, but positive contribution to housing supply. By virtue of the application site being allocated for housing in the Local Plan, the principle of development, subject to other policy considerations being met, is deemed acceptable, as the land would not have been allocated for housing if it was not an appropriate use of the site.

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 application site is allocated for housing in the Local Plan. So whilst the site would not have been allocated for housing if it was considered a scheme could not be designed in a way to ensure there will be no detrimental impact on the character and appearance of the area, it is still important that any proposed scheme ensures this to be the case.

The application site is essentially surrounded by residential development, with dwellings to the north, east and south. The remainder of the housing allocation is to the west, so one can assume there will be residential development to the west of the site in the future.

There are a number of different house designs along Freshney Way, with both bungalows and chalet bungalows present. There are a number of brick types used, so there is no common external appearance in the area. This proposal will use a multi red brick with red clay pantiles and white uPVC doors and windows which will be in keeping with the dwelling to the east.

The dwellings are of an appropriate size and scale, meaning the development will neither look cramped, nor detract from the street scene.

The main issues to overcome with character of the area is the design of the elevations. By virtue of the site being within Flood Zone 3, the floor level has to be raised to ensure a flood proof design is achieved. If not designed effectively, the extent of brickwork from cill height to floor level can look incongruous and achieve a bad design. The provision of bay windows on the front elevations help assimilate the raised floor level and extra brickwork into the overall design.

The materials are appropriate and the elevations show the dwellings will be in keeping with surrounding development. The proposal, therefore, complies with policies 2 & 3 of the SELLP and the principles of good design and sustainable development advocated by the NPPF.

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 dwellings are of a scale where they will not be overbearing or overshadowing on any adjacent properties, in addition to not negatively impacting on surrounding users outlooks. The main area of concern was the northern boundary.

The northern boundary (going from east to west) comprises 2m fencing, which then drops to 1.5m and a hedge. Initially, no northern boundary treatments were proposed which was of concern to the officer, as the dwellings to the north may suffer from a loss of privacy. This was subsequently addressed with the agent and a revised scheme was submitted which included the provision of a 2 m inner fence along the northern boundary.

The revised scheme means there will be no overlooking or loss of privacy incurred on those to the north.

As the only amenity concern was swiftly addressed by the applicant, there are no concerns regarding a loss of amenity to those adjacent to the application site.

It is therefore considered that the proposal complies with policies 2 & 3 of the SELLP in respect of residential amenity and the principles of sustainable development advocated by the NPPF.

Impact on the natural environment

Policy 28 of the SELLP requires development proposals to protect, enhance or manage natural assets. All proposals are required to provide an overall net gain in biodiversity.

South of the site is the South Forty Foot Drain which is identified as a nature conservation area. Due to the proximity of the proposal to nature asset, it is important to consider the potential ecological impact of this proposal.

As the accompanying Ecology Survey rightfully states, there is a number of development both surrounding this drain, in addition to development between the site and drain. Due to the extent of surrounding development, this proposal would not have a negative impact on the natural environment.

It is considered that the proposal complies with policy 28 of the SELLP in respect of the natural environment.

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 Local Highway Authority do not object to the scheme, appropriate parking provision can be provided and vehicles can enter and leave the site in a forward gear. It is not considered the traffic that may be generated from three dwellings will harm highway safety.

The proposal is, therefore, acceptable and highway safety and parking grounds.

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 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 measures have been secured through a planning condition to ensure the proposal is constructed in a flood safe manner.

The Flood Risk Assessment goes on to confirm there are no obvious constraints that may impact the proposed development. It is deemed the proposal would not increase the flood risk in the area.

CONCLUSION:

The application site comprises part of the housing allocation 'Wes001' in the Local Plan and is within the settlement boundary. There will be no loss in amenity to surrounding users and the design of the proposal is in keeping with the character of the area. The provision of 2 dwellings would make a small but positive contribution to housing supply in the Borough and will help the Council maintain their 5 year housing land supply.

The principle of development is acceptable and the proposal complies with both local and national policy. The proposal is, therefore, deemed acceptable.

RECOMMENDATION:

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

| CONDITIONS / REASONS | | | |
|--|--|-------------------------------------|--|
| 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>Reason: 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 12/11/2020 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Location Plan; • Block Plan (received 21/12/20); • TS.HTW.2020.02 – Proposed Floor Plans and Elevations for Plot 7; • TS.HTW.2020.02 – Proposed Floor Plans and Elevations for Plot 8. <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> | | | |
| <p>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) November 2020 Version 1, and the following mitigation measures detailed within the FRA:</p> <ul style="list-style-type: none"> • Finished floor levels to be raised by 1m above the existing ground level for buildings with at least two storeys; • Flood resilience and resistance measures to be incorporated into the proposed development as stated. | | | |

The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place thereafter.

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.

The scheme shall be implemented and completed fully in accordance with the requirements of the approved surface water drainage strategy outlined in the approved Flood Risk Assessment (FRA) November 2020 Version 1. The applicant shall confirm the completion of the approved scheme in writing to the Local Planning Authority within one month of completion.

Reason: To prevent the increased risk of flooding in accordance with Policies 2 and 4 of the South East Lincolnshire Plan 2011-2036.

The development hereby permitted shall not be occupied before a 1.8 metre wide footway, to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to and approved in writing by the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework 2019.

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.