

SUMMARY OF APPLICATION			
Application Reference	B/20/0468		
Application Type	Outline Planning Permission		
Proposal	Outline Application with all matters reserved for 1no. residential dwelling		
Location	Land Adjacent to Rose Cottage, Station Road, Swineshead, Boston PE20 3PB		
Applicant	Mrs Betty Maguire		
Agent	Mr Shaun Maguire		
Received Date:	24-Nov-2020	Consultation Expiry Date:	24-Dec-2020
Valid Date:	24-Nov-2020	Statutory Expiry Date:	19-Jan-2021
Date of Site Visit:	16-Dec-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 Outline Planning Permission		
Report by:	Grant Fixter		
Date:	12/01/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site comprises an area of grassland with a number of small outbuildings and sheds located off Station Road, Swineshead, with the South East Lincolnshire Local Plan identifying the site to be within the countryside. The site is bound by planting to the eastern and southern boundaries, with the remaining boundaries somewhat open. In terms of surroundings, the site is located between an existing dwelling to the south east and a replacement bungalow currently under construction to the north west. North End Business Park is to the west and Station Road is to the east.

DETAILS OF PROPOSAL:

This application seeks outline planning permission with all matters reserved for one dwelling. The dwelling would be sited between Rose Cottage to the south east and the replacement bungalow currently under construction to the north west.



The applicant has submitted plans to show how the site could be developed and accommodate a dwelling. As the application is outline with all matters reserved, the applicant has confirmed these plans are indicative only.

Details of the indicative scheme are shown on the following plans:

- L426/1 – Existing Plot Plan and Proposed Location Plan;
- L426/2 – Proposed Block Plan;
- L426/3 – Proposed Floor Plans and Elevations.

RELEVANT HISTORY:

- B/20/0325 - Outline planning application for one dwelling – Invalid returned application;

Albeit it is not for this site, the replacement bungalow north west of the site was granted permission on 23/06/2020, application reference B/20/0100.

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 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.

CONSULTATION RESPONSES:

Black Sluice Internal Drainage Board

Did not respond.

Swineshead Parish Council

Do not object but commented the application is outside the development area of the village, outside the speed limit for the village and is within the 60mph limit.

Lincolnshire County Council

Do not object but made the following comments:

- Requirement to extend the 30 mph speed limit zone in order to accommodate this proposal and therefore, a S106 Contribution of £2,800 will be required from the applicant for the TRO (Traffic Regulation Order) as a condition;
- Commented on the required visibility splays and parking arrangements.

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; and,
- 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 10 – Swineshead' of the SELLP, the site is outside the settlement boundary of Swineshead, which is identified as a Main Service Centre. Development within the settlement boundaries of Main Service Centres will be supported providing that it helps fulfil their role.

The site is located outside the settlement boundary but it is important to consider the context of the site. The site is located between a replacement dwelling to the west which was granted permission in June 2020 and an existing dwelling to the east. The dwelling to the east is also classed as being within the countryside but immediately adjacent to the settlement boundary.

The dwelling to the east, albeit is immediately adjacent to the settlement boundary, appears to form part of the settlement. This proposal, therefore, would not look out of place and would be sited between a dwelling which appears part of the settlement and a replacement dwelling currently under construction.

The provision of one dwelling would make a limited, but positive contribution to housing supply. The principle of residential development on this site is considered 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.

As stated above, the application site is sited between an existing dwelling to the east and a replacement dwelling currently under construction to the west. Residential development on the site, therefore, would not look out of keeping with surrounding development or the character of the area.

There will be some trees that would be removed to facilitate access to the site, however some screening to Station Road would remain in place.

Furthermore, due to the size of the site and the indicative plans submitted as part of this application, it has been demonstrated how a four bedroom dwelling could be accommodated on site, meaning the appearance of cramped development can be avoided.

Subject to an appropriate reserved matters application, the proposal complies with policies 2 and 3 of the SELLP in respect of character and appearance of the area.

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.

From the indicative plans submitted as part of this application, attending site and reviewing the scale of surrounding development and the site itself, it is considered one dwelling could be accommodated on this site without undue impact on the adjacent properties. The more detailed matters of layout, massing, height and scale, as well as means of access, appearance and landscaping would be dealt with at the reserved matters stage. Issues of overbearing effect, loss of privacy and light would then be duly considered.

The Council can also confirm that reserved matters would neither be approved should there be an unacceptable loss of privacy and outlook, nor would outline permission be granted should it be deemed a scheme could not be designed appropriately.

Subject to details being submitted, it is considered that the proposal could comply with policies 2 & 3 of the SELLP in respect of residential amenity.

Highway safety and parking

SELLP Policy 2 states that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation levels.

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 indicative plans show how the site could accommodate a turning head to ensure vehicles can enter and leave the site in a forward gear. Furthermore, it is deemed that the site can accommodate enough parking provision to meet the parking requirements in the SELLP. Parking provision should be two spaces for dwellings of up to three bedrooms and three spaces for dwelling of four bedrooms.

Highways also stated there is the requirement to extend the 30 mph speed limit zone in order to accommodate this proposal and therefore, a S106 Contribution of £2,800 will be required from the applicant for the TRO (Traffic Regulation Order) as a condition.

The replacement dwelling to the west was approved in June 2020 and is also in the 60mph speed limit zone, with the dwelling to the east being sited within the 30mph speed limit zone. No such request was made for the replacement dwelling scheme which is further into the 60mph zone than this application site.

As the replacement dwelling permission is recent, there was an existing dwelling beforehand and the approved access arrangements for the replacement dwelling are within the 60mph speed limit and no such request was made for the replacement dwelling, the Council are of the view they cannot impose this request on this application.

There is good visibility in each direction onto Station Road and from the indicative plans it is considered the requirements can be met and the traffic that may be generated from one dwelling will not harm highway safety.

The proposal is, therefore, acceptable on highway safety and parking grounds subject to the information submitted at any subsequent reserved matters stage.

Flood risk

Policy 4 of the SELLP states 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, that it is essential infrastructure in FZ3a & FZ3b, it is highly vulnerable development in FZ2 or is more vulnerable development in FZ3 provide wider

sustainability benefits to the community that outweigh flood risk. Where supported by a site specific flood specific risk assessment a criteria will need to be adhered to.

The application site is within Flood Zone 1, meaning the site is in an area at lower risk of flooding.

Whilst it is believed surface water flooding can be overcome by an effective surface water strategy, insufficient information has been submitted with this submission. It is considered expedient to secure the details by 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:

As with any application, it is important to consider the planning balance.

Whilst the application site is deemed to be within the countryside, the dwelling to the east is immediately adjacent to the settlement boundary and there is a replacement dwelling to the west. Any dwelling, therefore, would comprise an infill plot and taking into account the site and surroundings, on balance, it is considered this is acceptable.

Albeit the contribution would be small, this proposal will help deliver housing in the area and go towards maintaining the Council's 5 year land supply. Subject to details being submitted at the reserved matters stage, it is considered the proposal could be designed in a way which will protect the residential amenity, character and appearance of the area.

Accordingly, it is recommended to grant planning permission subject to conditions.

RECOMMENDATION:

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

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	No development shall commence until details of the access, layout, appearance, scale and landscaping of the development (hereafter referred to as the 'reserved matters') have been submitted and approved by the local planning authority. Reason: This is an outline application only and such details must be approved before development commences in order to comply with the objectives of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).
2	Application for approval of reserved matters shall be made to the local planning authority not later than the expiration of three years from the date of this permission. Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

3	<p>The development hereby permitted shall be begun before the expiration of two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
4	<p>Any application for approval of reserved matters submitted pursuant to condition 1 of this permission shall accord with the outline permission insofar as it relates to the maximum number of dwellings stated in the application description within the confines of the red line as shown on drawing 'L426/1 – Existing Plot Plan and Proposed Location Plan'.</p> <p>Reason: The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) (England) Order 2015. Any application for reserved matters must be in accordance with and/or not exceed the parameters established as part of this permission and to comply with Policies 2 and 3 of the South East Lincolnshire Local 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>
6	<p>When application is made for approval of the 'reserved matters' that application shall show details of arrangements to enable a motor vehicle to turn within the site so that it can enter and leave the highway in a forward gear.</p> <p>Reason: In the interests of highway safety in accordance with Policy 2 of the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework (2019).</p>
7	<p>When application is made for approval of the 'reserved matters', that application shall</p>

	<p>show details of parking arrangements for the dwelling.</p> <p>Reason: To ensure the retention of adequate car parking provision to serve the development in the interests of highway safety in accordance with Policy 36 of the South East Lincolnshire Local Plan (2011-2036) and the National Planning Policy Framework (2019).</p>
8	<p>Prior to the commencement of development above slab level, final details of measures that aim to reduce pollution and promote renewable and low carbon energy (including measures such as facilities for EV car charging) and details relating to the timing of their implementation, shall be submitted to and approved in writing with the Local Planning Authority. The development shall be constructed in accordance with the approved measures.</p> <p>Reason: To help reduce pollution and promote renewable and low carbon energy in new development schemes and to accord with Policies 2, 3, 30 and 31 of the South East Lincolnshire Local Plan (2011-2036) and to accord with the intentions of the National Planning Policy Framework (2019).</p>
9	<p>The water consumption of each dwelling hereby permitted should not exceed the requirement of 110 litres per person per day as set out as the optional requirement in Part G of the Building Regulations (2010) and the South East Lincolnshire Local Plan (2011-2036).</p> <p>The person carrying out the work must inform the Building Control Body that this duty applies.</p> <p>A notice confirming the requirement for the water consumption has been met shall be submitted to the Building Control Body and Local Planning Authority, no later than five days after the completion of each individual dwelling.</p> <p>Reason: To protect the quality and quantity of water resources available to the district. This condition is imposed in accordance with Policy 31 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES

TO BE INCLUDED ON/WITH DECISION NOTICE

It is important to note that the plans submitted as part of this application are indicative only.

Highway informatives:

As the proposed development would require the provision of a new access, the applicant would need to submit details demonstrating these access arrangements and the applicant needs to note on the drawing that the access will be constructed in accordance with the LCC Specification. Additionally, the applicant would need to demonstrate suitable clear visibility splays in both directions in accordance with Manual for Streets, so that drivers intending entering the highway at the access may have sufficient visibility of approaching traffic to judge if it is safe to complete the manoeuvre.

Additionally, the applicant needs to make consideration of sufficient parking provision where 3 parking spaces for a dwelling of three bedrooms or more are proposed and sufficient turning facility within the site to allow vehicles to enter and leave in a forward gear.

As this is a Minor Application, the applicant would need to demonstrate to the Local Planning Authority that the use of a suitable drainage system for the management of surface water is appropriate for this site to mitigate any concerns with flooding of the property, adjacent properties and surrounding land.

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.