

Development Management Delegated Decision Report

B/20/0511



SUMMARY OF APPLICATION				
Application Reference	B/20/0511			
Application Type	Approval of Reserved Matters			
Proposal	Application for approval of reserved matters Appearance, Landscaping, Layout and Scale for the construction of 5 dwellings following the grant of outline planning permission for up to 200 dwellings (Ref: B/17/0317)			
Location	Land off Wyberton Low Road, Wyberton, Boston, PE21 7SF			
Applicant	Mr William Nuttall, Chestnut Homes Limited			
Agent	Mrs Rebecca Archer, Chestnut Homes Limited			
Received Date:	22-Dec-2020	Consultation Expiry Date:	09-Mar-2021	
Valid Date:	26-Jan-2021	Statutory Expiry Date:	23-Mar-2021	
Date of Site Visit:	16-Feb-2021	Extension of Time Date:	09-Apr-2021	
Objections received?	No			
5 day notification record: Not applicable				
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation	APPROVE Reserved Matters			
Report by:	Grant Fixter			
Date:	08/04/2021			



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site forms part of a much wider site that has permission for up to 200 dwellings (B/17/0317). This site is approximately 0.5ha and is within the southernmost extent of the wider site, with access achieved via a private drive off Slippery Gowt Lane. Overall, the wider development covers 7.9ha, with details for phase 1 (B/17/0317) and phase 2 (B/18/0489) already approved. An application is also currently under consideration for phase 3 (B/21/0039), however, this will be judged separately and on its own merits.

DETAILS OF PROPOSAL:

The original approval of up to 200 dwellings made a commitment to providing 5 self-build plots on this application site, and this proposal seeks the approval of reserved matters for these plots.

The proposal will incorporate 4 different house types, with plots 2 and 4 having the same design. This means a linear, uniform development consisting of the same house type is avoided and will help achieve an overall better design. Three different brick types and roof tiles are also proposed across the development, which will help ensure a better design is achieved.

All the proposed units will comprise two storey four bedroom detached dwellings with detached double garages.

Initially, the Local Highway Authority had no objections but were concerned regarding the lack of a pedestrian link to the wider development, meaning future occupiers would have to share the carriageway of Slippery Gowt Lane and Wyberton Low Road with vehicles.

This was raised with the agent and a revised plan was submitted which showed an internal link to the bigger site. Highways were subsequently re-consulted and confirmed they had no further concerns.

Full details of the proposal are shown on the following plans:

- BFB 06 Rev A- Location Plan;
- BFB 08 Rev A- Site layout;
- 113-V1 01 Rev A- Type 113-V1 Floor Plans and Elevations;
- 115-V1 01 Rev B- Type 115-V1 Floor Plans and Elevations;
- 116-V1op 01- Type 116-V1 (op) Floor Plans and Elevations;
- 117-V2op 01- Type 117-V2 (op) Floor Plans and Elevations;
- Details 6 Rev I – Wall and Fencing Details;
- D1-01 Rev B Garage Floor Plans & Elevations;
- Materials Schedule Issue 2;
- Brick and Roof Tiles Schedule;
- MA11392-200 Preliminary Drainage Strategy;

- RLC-0015-FRA-01-1 Flood Risk Assessment;
- RLC/0015/TN02 - Addendum to Flood Risk Assessment.

RELEVANT HISTORY:

In November 2018 a hybrid outline application for residential development (up to 200 dwellings) consisting of:

- Construction of 71 dwellings (phase 1) and associated infrastructure including access, layout, scale, landscaping and appearance;
- Construction of up to 129 dwellings including access with all matters reserved for later approval.

At land off Wyberton Low Road, Boston/Wyberton was granted permission subject to 23 conditions plus a s106 agreement relating to affordable housing (ref B/17/0317).

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 2 – Development Management;
- Policy 3 – Design of New Development;
- Policy 4 – Approach to Flood Risk;
- Policy 30 – Pollution;
- 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 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.

Wyberton Parish Council

Do not object but voice concerns regarding the closeness of the dwellings to the drain and believe there should be fencing/ hedging for safety.

Lincolnshire Wildlife Trust

Did not respond.

Anglian Water

Did not respond.

Housing Strategy

Have no concerns.

Environmental Health

Have no objections.

Natural England

Have no comments to make on the application.

Environment Agency

Do not object and made the following comments:

- Request a condition is attached to secure flood risk mitigation measures outlined in the FRA;
- Advise a Flood Warning and Evacuation Plan is produced for the development.

Lincolnshire County Council

Had no objections and made the following comments:

"I can confirm there will be no highways objection to the principle of the development of five residential properties on this site, served from a private drive off Slippery Gowt Lane.

The access off Slippery Gowt Lane is presently being used as the main access for all construction traffic for the wider residential development, pending the approval and construction of the proper vehicular access for the site, off Wyberton Low Road. This access is certainly suitable then to serve the five dwellings proposed in this Application.

What is not acceptable about the submitted layout however is the absence of a pedestrian link between the five dwellings and the internal footway network of the wider residential development. Without this link, residents of the five dwellings would have to share the carriageway of Slippery Gowt Lane and Wyberton Low Road with vehicles to access their homes on foot as there are no footways on these roads and there is only one street light at the Slippery Gowt Lane/Wyberton Low Road junction. The local primary school is on Wyberton Low Road and there does therefore need to be safe and suitable pedestrian access provided between the proposed dwellings and the existing footway network.

Either the Layout needs to be amended to include this pedestrian link or any Consent notice would need to include a Condition requiring the provision of a pedestrian link – 'notwithstanding the details shown on the submitted layout drawing'.

There does not appear to be a narrative description of the proposed surface water drainage strategy for the five dwellings but the submitted Milward drainage drawing appears to propose that the private drive serving the properties is a permeably paved road which will infiltrate surface water from the whole of this Application Site into the subsoil underlying the private drive. Whilst the bearing capacity of the ground and the level of the natural water table in The Fens region have yet to prove acceptable for adoptable roads to be permeably paved, the close proximity of this roadway to the fairly large watercourse running along the frontage of the site would mean that in all likelihood, this private drive would function satisfactorily as a permeably paved road."

A revised plan was submitted by the agent and highways were re-consulted, confirming on 25/03/21 the proposal would not have an impact on the public highway or surface water flood risk.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third party representations have been received.

EVALUATION:

This application is for the approval of reserved matters for the erection of 5 self-build dwellings following the grant of outline planning for up to 200 dwellings. Thus the principle of residential development on this site has already been established.

The main considerations in the determination of this application are:

- Design and layout;
- Impact on residential amenity;
- Vehicle parking and access;
- Flood risk and surface water disposal.

Design and layout

This phase of the development comprises 5 self and custom build plots towards the southern extent of the site. This honours a commitment made with the very first application for the wider development.

From review of the plans, the 5 self builds will offer a different form of development compared to that already built or approved. The plots are much more spacious with larger amenity spaces and detached garages.

The layout is deemed appropriate as it will make use of the existing access, with each plot then served by their own private drive.

The design of the development is also deemed acceptable. By virtue of providing 4 different house types, there will be no rigid or uniform appearance to the proposal which can often detract from the character of the area and constitute bad design. There are varying additional brick work features and roof pitches across the 5 builds which will help break up the development. In addition, three brick types and roof tiles are proposed to be used across the 5 plots, again, further enhancing the design of the proposal.

The design and layout are, therefore, acceptable.

Impact on residential amenity

If amenity was likely to have been an issue for these plots, this would have been raised during the principle stage. As it was not, it was clearly believed a scheme could be designed which respected both neighbouring and future occupiers amenity.

Upon review of the scheme, there is ample spacing between each plot, in addition to each plot having adequate private amenity space. The scheme, therefore, will ensure future occupier's amenity is not impacted.

Turning to the impacts of the proposal on surrounding user's amenity, the vehicle generation from this proposal will not be to an extent where it will impact on amenity, especially as the 5 plots will have their own access with no vehicle access/ connection into the wider site to the north. These impacts, therefore, will be limited to the 5 plots in question.

There is considerable distance between this proposal and those dwellings approved to the north, in addition to boundary treatments being in place. There will, therefore, neither be a loss of privacy or outlook, nor will the proposal be overbearing or lead to overshadowing.

The proposal is considered acceptable on amenity grounds.

Vehicle parking and access

In terms of car parking provision, SELLP policy 36 requires, within the curtilage of each dwelling, two spaces for dwellings with up to 3 bedrooms and three spaces for dwellings with 4 bedrooms or more.

Each self-build comprises four bedrooms and from the proposed site plan it is clear 3 spaces can be provided on site for each dwelling. The proposal is, therefore, policy compliant in regards to parking.

There were no concerns in terms of vehicular access as it is existing with good visibility in both directions, with Highways also deeming the access to be acceptable.

The main concern was around pedestrian links and connectivity. The original layout had no footpath link to the wider site to the north, meaning future occupiers would have to share the carriageways of Slippery Gowl Lane and Wyberton Low Road with vehicles. The agent subsequently submitted an amended site plan which showed the provision of a footpath link to the wider site to the north. Highways were re-consulted and had no objections.

There are, therefore, no issues on access or parking grounds.

Flood risk and surface water disposal

The Environment Agency were consulted who confirmed they have no objections to the proposal as long as a condition is imposed requiring the mitigation measures outlined in the FRA to be implemented and remain in place. These include the finished floor level being no lower than 4.0m, development being two storeys and having demountable defences/flood doors to be provided to a height of 600mm to cover all ground floor doors. This is deemed appropriate and will ensure the development is safe on flood risk grounds.

Surface water is also not deemed to be an issue as it is in line with the overall drainage strategy previously approved for the entire site. Lincolnshire County Council also have no concerns on this front.

The proposal is, therefore, acceptable on flood risk and surface water grounds.

CONCLUSION:

The details submitted seeking reserved matters approval for the 5 self-build plots are deemed acceptable.

RECOMMENDATION:

APPROVE

CONDITIONS / REASONS			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
The development hereby approved shall be carried out in accordance with the associated plans referenced: <ul style="list-style-type: none">• BFB 06 Rev A- Location Plan;• BFB 08 Rev A- Site Layout;• 113-V1 01 Rev A- Type 113-V1 Floor Plans and Elevations;• 115-V1 01 Rev B- Type 115-V1 Floor Plans and Elevations;• 116-V1op 01- Type 116-V1 (op) Floor Plans and Elevations;			

- 117-V2op 01- Type 117-V2 (op) Floor Plans and Elevations;
- Detail 6 Rev I – Wall and Fencing Details;
- D1-01 Rev B Garage Floor Plans & Elevations;
- Materials Schedule Issue 2;
- Brick and Roof Tiles Schedule Issue 1.

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.

The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) November 2017, reference RLC/0015/FRA01 completed by Roy Lobley Consulting and the following mitigation measures detailed within the FRA:

- Finished floor levels to be set no lower than 4.0m above Ordnance Datum (AOD);
- The development to have at least two storeys;
- Demountable defences/flood doors to be provided to a height of 600mm to cover all ground floor doors. The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

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).

No development of any of the plots hereby permitted shall take place above ground level until a program for the construction of the footway shown in the land outlined in red and blue on drawing BFB/08 Rev A has been submitted to and approved in writing by the Local Planning Authority. The program shall include a timetable for construction and completion of the route, along with details of the route including width, surface construction and drainage details.

The footway shall be completed in accordance with the agreed details and program for installation.

The agreed works shall be fully implemented and remain in place thereafter.

Reason: In order to provide pedestrian connectivity to serve the development, in the interests of safety of the users of the public highway and of the site in accordance with Policy 2 and 3 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.