

Development Management Delegated Decision Report

B/21/0034



SUMMARY OF APPLICATION

Application Reference	B/21/0034		
Application Type	Full Planning Permission		
Proposal	Replacement 2 storey dwelling with detached garage		
Location	Harlands, Long Hedges, Fishtoft, Boston, PE22 0RH		
Applicant	Mr & Mrs Dickinson		
Agent	Mr Neil Reynolds		
Received Date:	27-Jan-2021	Consultation Expiry Date:	09-Mar-2021
Valid Date:	08-Feb-2021	Statutory Expiry Date:	05-Apr-2021
Date of Site Visit:	16-Feb-2021	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:	22/03/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located off Boston Long Hedges Road in Fishtoft and as per the South East Lincolnshire Local Plan, the site is within the countryside. The site comprises a detached two storey dwelling with a double garage and is bounded by Boston Long Hedges Road to the north, mature planting to the east and south, with Boston Self Storage to the west. There is sporadic frontage residential development along Boston Long Hedges Road, however, the general character of the area is predominantly agricultural land.

DETAILS OF PROPOSAL:

This proposal seeks full planning permission for a replacement two storey dwelling and a detached garage.

The reason for this submission is the existing dwelling is starting to structurally deteriorate and following discussions with builders, surveyors and a subsequent structural survey being prepared, the works required would not be feasible and the dwelling is not structurally sound.



From review of the submission, the proximity of the garage and its detailing to the street frontage was queried with the agent. Amended plans were subsequently submitted, siting the garage further back and adding detailing so there would be no blank elevations to the street.

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

- ST-433/01 Rev B – Location Plan and Proposed Block Plan;
- ST-433/03 Rev B – Proposed Garage Design Plan;
- ST-433/02 Rev A – Proposed Floor Plans and Elevations.

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 22: Replacement Dwellings in the Countryside;
- 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 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:

Witham Fourth IDB

Have no objections and state the Board's consent is required should surface water or treated water be discharged to a water course and they should be contacted should there be any change to the surface water or treated water disposal arrangements stated in the application.

Fishtoft Parish Council

Have no objections.

Lincolnshire County Council

Have no objections as the access and parking arrangements remain unchanged, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety;

Environmental Health

Have no objections and made the following comments:

- Business next door which I understand is haulage/self-storage units;
- Normally this may raise concerns but the existing residential unit and the commercial unit appear to have co-existed for some considerable time without to my knowledge there being any resultant complaint;
- Proposed house is set slightly further back than the existing property;
- End gable offers a blank façade and existing buildings offer some screening between the main haulage yard area and the residential property.

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.

Policy 22 of the SELLP specifically relates to replacement dwellings in the countryside and provides criteria which proposals will be assessed against to determine if they are appropriate or not:

“1. the residential use of the building to be replaced (the original building) has not been abandoned;

2. the original building is permanent, has not become derelict and is not the result of a temporary permission;
3. the original building is not of architectural or historic merit and is not capable of repair;
4. the replacement building is of a high standard in terms of architectural detailing and materials of construction;
5. the replacement building is positioned on a similar footprint to the original building unless it can be demonstrated that the re-positioning would have beneficial impacts such as improving the character and appearance of the site and its locality; and
6. the replacement building does not exceed the floor area of the original dwelling by more than 40%, unless the development is of exceptional quality or innovative in nature in terms of its design, use of materials and levels of energy efficiency.”

The residential use of the building to be replaced has not been abandoned, is permanent and not derelict, not the result of a temporary permission and is not of architectural or historic merit. A structural survey accompanying this submission confirms the building is not capable of repair, stating:

“The property is so affected by progressive structural movement that it is not suitable for occupation on both a tenancy basis or occupation. This will have a severe detrimental effect on sale ability and also on a letting basis. Consequently, the property is not considered suitable security for mortgage purposes to sell and is not acceptable to occupy any further. Our recommendation would therefore be to demolish the property and rebuild. The costs involved with remediation are not viable and will only postpone the inevitable which will be dangerous and cause potential physical injury.”

The proposal, therefore, accords with criteria 1-3 of Policy 22.

When compared to that existing, the replacement dwelling will have an improved design and will use appropriate materials, therefore, complying with criteria 4 of Policy 22.

The replacement dwelling is not positioned on a similar footprint to that existing, with the footprints not overlapping in the slightest. The replacement dwelling is to be constructed to the rear of that existing and once built, the applicants will reside in the new build and that existing will be demolished. The proposal, therefore, does not comply with criteria 5 of Policy 22.

Finally, from assessing the existing and proposed plans, the replacement dwelling would not exceed the floor area of that existing by more than 40%. The proposal, therefore, complies with criteria 6 of Policy 22.

From the above, it is clear the replacement dwelling would comply with 5 of the 6 criteria outlined in Policy 22. Although the dwelling would be in a different position it is not a significant move and would not harm the wider setting of the countryside. Therefore, on balance, the proposal would comply with Policy 22.

The principle of development 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.

The existing dwelling measures approximately 5.02m to the eaves and 7.25m to the ridge, whilst the replacement dwelling measures approximately 5.04m to the eaves and 8.4m to the ridge. Whilst there is an increase in the height of the dwelling by over 1m, given the surrounding development and context of the site, this will not be of detriment to the character and appearance of the area.

A detached double garage is proposed to the front of the replacement dwelling, compared to that existing which is in line with the existing dwelling. The original drawings showed the garage to have a blank north and east elevation. Given the new siting of a garage close to the street frontage, there was the potential for the character of the area to be adversely impacted.

Upon raising this with the agent, a revised plan was submitted which showed the garage sited 2.5m further within the site, detailing to the east elevation and a window to the north elevation of the garage. These measures help reduce the impact on the character of the area and are the garage is now deemed acceptable on these grounds.

Regarding materials, the brickwork of the existing dwelling is red and the proposed will comprise of red-multi, meaning there will be no large difference in appearance when it comes to brickwork. The roof will go from red/brown tiles to grey slate tiles and whilst this is a change in colour, it is not one which will detrimentally impact the character and appearance of the area. The windows will comprise anthracite grey upvc frames.

Whilst the proposal will be sited further into the site, this will not be of detriment to the character of the area. The replacement dwelling is, albeit slightly bigger, of a similar scale to that existing and would not create an adversely different form of development and would not appear cramped in nature.

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

Impact on residential amenity

SELLP Policy 2, 3 and 30 seek to ensure that a new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

There is a single storey dwelling to the north of the site and when considering the nature of the proposal, the replacement dwelling is sited further away meaning the amenity impacts of this proposal will be minimal.

There is a commercial premises to the west of the site and this is used for haulage/ self-storage units. I would echo comments raised by Environmental Health in that ordinarily, a dwelling being in such close proximity to the commercial premise to the west would raise concerns. As this proposal is for a replacement dwelling and the uses have co-existed for some time already, the

western elevation is blank meaning privacy will be retained and buildings on the commercial site provide screening, there will be no greater detriment in amenity when compared to that existing.

It is considered that the proposal complies with policies 2, 3 & 30 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 replacement dwelling would comprise four bedrooms, meaning 3 parking spaces would be required to comply with policy. From reviewing the plans, there is ample parking space on the drive and the double garage could also be used for parking, meaning there are no concerns on parking grounds.

The Local Highway Authority have no concerns regarding impacts on highway safety and this is echoed by the planning officer.

The proposal is, therefore, acceptable on 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, the proposed works are essential infrastructure in in FZ3a & FZ3b, highly vulnerable development in FZ2 and more vulnerable development in FZ3 provide wider sustainability benefits to the community that outweigh flood risk, and appropriate flood mitigation measures have been put in place. 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 the finished floor level should be raised by 300mm above the existing ground level and from the submitted plans, this has been adhered to.

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

CONCLUSION:

A structural survey forms part of this submission which confirms the existing dwelling is not suitable for repairs and, therefore, a new build is required. Policy 22 of the SELLP relates to replacement dwellings in the countryside and this proposal complies with 5 of the 6 criteria. On balance, therefore, the proposal complies with Policy 22.

The proposal will also have no detrimental impacts on the character or amenity of the area and is acceptable on highway and flood risk grounds. The proposal is deemed acceptable and conditional permission should be granted.

RECOMMENDATION:

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

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
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 08/02/21 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none">• ST-433/01 Rev B – Location Plan and Proposed Block Plan;• ST-433/03 Rev B – Proposed Garage Design Plan;• ST-433/02 Rev A – Proposed Floor Plans and Elevations.• Flood Risk Assessment – RM Associates, December 2020 Version 1 <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 the relevant provisions of the National Planning Policy Framework (2019).</p>
3	<p>No development shall take place above ground level until details regarding the provision of electric vehicle charging points have been submitted to and approved in writing by the Local Planning Authority. The details shall include:</p> <ul style="list-style-type: none">• The number of charging points;• Location of charging points;• Specification of charging points; and,• Timetable for the implementation of the above measures. <p>The development shall then be carried out in strict accordance with the approved details.</p> <p>Reason: In the interests of promoting sustainable transport in accordance with Section 9 of the National Planning Policy Framework (2019) and Policy 31 of the South East Lincolnshire Local Plan (2011-2036).</p>
4	<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>
5	<p>The materials to be used shall be in accordance with those outlined on the approved plans, with the windows comprising anthracite grey uPVC frames.</p> <p>Reason: To ensure that the new building is in keeping with the character of the area in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>
6	<p>Within 3 months of the first occupation of the dwelling hereby permitted the existing dwelling on the site shall be demolished and all materials removed from the site.</p> <p>Reason: The site is in open countryside, where there is a presumption against most forms of development. Permission has only been granted for the new dwelling as a direct replacement for the existing dwelling on the site. This condition is imposed to ensure that there is not a net increase in the number of dwellings in the countryside as a result of this development in accordance with Policy 1 of the South East Lincolnshire Local Plan (2011-2036).</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>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.</p>	