

# Development Management Delegated Decision Report

B/21/0062



## SUMMARY OF APPLICATION

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Application Reference	B/21/0062		
Application Type	Full Planning Permission		
Proposal	Two storey dwelling including new vehicular access, hardstanding & associated site works		
Location	Sunnyside Cottage, Sutterton Drove, Amber Hill, Boston, PE20 3RQ		
Applicant	Sharon Bysephipps, C/O Clive Wicks Associates		
Agent	Clive Wicks, Clive Wicks Associates		
Received Date:	12-Feb-2021	Consultation Expiry Date:	01-Apr-2021
Valid Date:	01-Mar-2021	Statutory Expiry Date:	26-Apr-2021
Date of Site Visit:	12-Mar-2021	Extension of Time Date:	
Objections received?	Yes		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Cllr G Cornah	09/04/21	No response received – 19/04/21	Ok
Cllr C Trafford	09/04/21	No response received – 19/04/21	Ok
Recommendation	GRANT Full Planning Permission		
Report by:	Grant Fixter		
Date:	19/04/2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site comprises a parcel of land off Sutterton Drove, Amber Hill, with the South East Lincolnshire Local Plan confirming the site is within the settlement boundary. There is designated open space to the north, with dwellings to the east, south and west. As the site is located between two dwellings, it is deemed to be an infill plot. The wider character of the area is predominantly agricultural.

### DETAILS OF PROPOSAL:

Full planning permission is sought for the erection of one dwelling. The dwelling will be two storey in nature and be of a similar scale and size to those surrounding the site. As previously outlined, the site is deemed to be an infill plot.



The proposed materials include stone cills and lintels, cream UPVC windows and door frames, black UPVC rainwater goods and dark grey slate roofing, all of which are deemed appropriate and will achieve a good design. There is also examples of brick detailing which help further break up the elevations.

Full details are shown on the following plans:

- 16-2343-P-02 - Location Plan;
- 16-2343-P-01 Rev B - Proposed Plans & 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 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

Do not object and made the following comments:

*“1. **Rainfall Runoff** – It is understood that the applicant intends to discharge surface water via soakaways. If this is the case, then any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. Due to the proximity of adjacent properties, careful consideration should be given to the location of any structures such that they do not adversely affect any neighbouring land or property. Evidence that soakaways/infiltration will work must be submitted to the planning authority for approval. Should soakaways prove unsuitable, then the applicant should submit details of an alternative scheme to the local planning authority for consideration, and must have received approval for any such scheme, prior to works commencing on site. Discharge to any watercourse will require prior written consent from the Board, and a discharge fee will be due.*

*2. **Disposal of Foul or Dirty Water** – Whilst the Board notes the intention of the applicant to request permission to connect to a “mains sewer”, the Board notes the response from the relevant utility with regard to potential refusal to connect to a “rising main”. With this in mind, and the known local issues regarding the use of infiltration from septic tanks/cesspits, the applicant must give careful consideration regarding their method of foul water disposal. If a treated effluent unit is to be used, then it would seem that soakaways may be a suitable disposal method subject to the requisite tests in lieu of the lack of available watercourses in the vicinity. However, as above, if the local area is not suitable for soakaways or infiltration, then the applicant must consider their options and submit a suitable scheme for consideration by the planning authority.*

*3. **Site Ground Levels** - The existing ground level of the site should not be raised above the level of any surrounding land unless suitable mitigation measures are put in place, to the satisfaction of the planning authority, to prevent possible flooding or waterlogging of any neighbouring land or properties.”*

#### Amber Hill Parish Council

Do not object and made the following comments:

*“Sewage and surface water drainage*

*The application states that the property will be connected to the main sewer however the properties adjacent to it are not connected to the main sewer as it is on the opposite side of the road. Therefore, is this possible?*

*Drainage issues have occurred in the past from the current property at Sunnyside Cottage which has resulted in flooding to the playing field behind the property and so concern is that this will increase this problem - Does the surface water comply with present regulations?*

*Highway*

*Concern was raised regarding the width of the Highways area of management as there used to be a verge outside the existing property which has disappeared due to*

*the width of the hedge. Will the new development also encroach on the highway management area in relation to the proposed hedge?*

*Could a traffic management and construction plan be provided covering the duration of the build as this is a very narrow road which is busy with traffic to and from the school 4 times a day during term time and it is also very busy with agricultural machinery throughout the year in particular during harvest time."*

#### Lincolnshire County Council

Do not object and made the following comments:

*"For this proposal the new access is acceptable and off street parking is proposed, therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety."*

#### Anglian Water

Confirmed the proposed connection to a mains sewer would not work and made the following comments:

*"We are unable to carry out a capacity assessment for this development as a connection to a sewer rising main is not permitted, the developer will need to explore different methods of foul flows disposal. It may be worth investigating how the foul flows are being treated from the existing developments."*

#### **THIRD PARTY REPRESENTATIONS RECEIVED:**

As a result of the publicity, two third party representations were received in the form of objections from the occupiers of:

- School House, Sutterton Drove, Amber Hill;
- 50 Sutterton Drove, Amber Hill.

The objections are summarised below:

##### *Amenity*

- Detrimental effect on privacy by means of its position, height, width and massing;
- Visually overbearing to the front of the property;
- Prefer a fixed wooden and concrete fence all around the property.

##### *Parking*

- Does not allow for more than two onsite parking spaces;
- Extra vehicles would have to park outside proposed property.
- May impede exit and entry to properties;
- Carriageway not fully double width and used by farm vehicles – unsafe and detrimental to other road users.

## *Drainage*

- Already problems with excess water, soakaways, drainage and cesspit from adjacent property;
- Want reassurances the drainage and sewerage would be mains and no leakages onto the playing field.

## **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 31 – Amber Hill' of the SELLP, the site is located within the settlement boundary for Amber Hill which is identified as an Other Service Centre and settlement. The SELLP indicates that development in Other Service Centres will normally be limited to committed sites and infill plots. The site is sited between two residential properties and is thus considered as infill.

The proposal is for one residential dwelling within the settlement boundary and although not comprising previously developed land (given it is a garden) the proposal would still 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.

Firstly, the application site is within a residential area and sited between two residential dwellings. A residential use of the site, therefore, would not be out of keeping with the surrounding area.

The proposed dwelling will be two storey in nature and is of a similar scale to the surrounding development. A two storey dwelling is, therefore, appropriate on the site.

Upon review of the proposed plans, it is clear a modest sized dwelling can be accommodated on site with adequate private amenity space and onsite parking, without forming the appearance of cramped development.

The proposed materials include stone cills and lintels, cream UPVC windows and door frames, black UPVC rainwater goods and dark grey slate roofing, all of which are deemed appropriate and will achieve a good design. There is also examples of brick detailing which help further break up the elevations. The proposed brick type has not been stated and will be secured through planning condition to ensure the character of the area is protected.

The southern, western and northern boundary treatments are deemed acceptable and will not be of detriment to the character of the area. The eastern boundary treatment has been slightly amended to show a 1.8m fence between the properties and as you approach the highway, the boundary changes to planting to be more in keeping with the area.

It is deemed the proposal is an appropriate use of the site, is of an appropriate scale and appearance and will, therefore, be in keeping with the character of the area.

The proposal, therefore, complies with policies 2 and 3 of the SELLP in regard to 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 sufficient distance between the proposed dwelling and those immediately adjacent. When considering this and the fact the proposal has already been deemed to be of an appropriate scale, the proposed development will neither be overbearing, nor lead to overshadowing.

Turning to outlook, the elevations of the dwellings immediately adjacent to the site do not have any fenestration which overlooks the site. There would be no loss of outlook.

In regard to overlooking and loss of privacy, there are first floor windows on both the proposed east and west elevations of the proposed dwelling. The first floor window on the east elevation will be obscure glazed and serve the bathroom, so there are no concerns on this front. The proposed first floor window on the west elevation serves a bedroom, so more consideration is needed in this instance. Given the outlook from this window will be limited to that of the blank elevation of the adjacent property which obscures any potential views into private amenity space, there are also no concerns with this window regarding outlook and a loss of privacy.

The private amenity space provided and the siting/ layout of the proposed build help ensure the amenity of both surrounding users and future occupiers of the site are protected.

The proposal, therefore, complies with policies 2 and 3 of the SELLP in regards to 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.

Access will be achieved off Sutterton Drove where there is good visibility in both directions. The proposal is for a three bedroom dwelling, meaning 2 parking spaces need to be provided and such a provision is clearly shown on the proposed plans. The proposal, therefore, complies with the parking requirements outlined in the SELLP.

A condition will be attached securing the provision of an electric vehicle charging point in accordance with requirements set out in the SELLP and NPPF.

Comments were made from objectors regarding the parking and access arrangements, in addition to the condition of the carriageway. It is important to note that the Local Highway Authority do not object to the scheme and appropriate parking provision can be provided on site. It is not considered the traffic that may be generated from one dwelling will harm highway safety.

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

### 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 2 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. One of which was to raise the FFL by 0.3m above existing ground level.

Concerns were raised regarding drainage and whether it was actually feasible for the proposal to be connected to the mains. This was followed up with Anglian Water who confirmed connection to the mains would not be permitted as it is a rising mains sewer. This was subsequently raised with the agent who has since commenced discussions with other relevant parties regarding surface and foul water. The agent has also confirmed they are happy for a condition to be attached to any permission which requires a surface and foul water drainage strategy to be submitted to the Council.

The proposal will not lead to an increased risk of flooding elsewhere and a condition will be attached to any permission requiring a surface and foul water drainage strategy to be submitted to and agreed in writing by the Council.

### **CONCLUSION:**

Full planning permission is sought for the erection of one dwelling on land adjacent to Sunnyside Cottage, Amber Hill. The site is within the settlement boundary for Amber Hill and would be classed as infill, which is considered an acceptable form of low scale development in settlements such as Amber Hill.

The principle of development has been established, there are no concerns on character and amenity grounds, in addition to the proposal complying with the parking requirements outlined in the SELLP. The proposal is also acceptable on flood risk grounds and a condition will be attached to any permission requiring a surface and foul water drainage strategy to be submitted to and agreed in writing by the Council.

The proposal, therefore, complies with both local and national policy. Accordingly, it is recommended to grant planning permission subject to conditions.

### **RECOMMENDATION:**

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

<b>CONDITIONS / REASONS</b>	
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 01/03/2021 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> <li>• 16-2343-P-02 - Location Plan;</li> <li>• 16-2343-P-01 Rev B - Proposed Plans &amp; Elevations.</li> </ul> <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>The development permitted by this planning permission shall be carried out in accordance with the mitigation measures outlined in the approved Flood Risk Assessment (FRA) (Ray Morgan Associates, February 2021 Version 1).</p>

	<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>
4	<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"> <li>(i) separate systems for the disposal of foul and surface water;</li> <li>(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);</li> <li>(iii) details of any necessary flow attenuation measures, including the use of SUDS where appropriate; and</li> <li>(iv) details of how the scheme will be maintained and managed after completion.</li> </ul> <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>
5	<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 policy 31 of 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>
6	<p>No development shall take place until details of the materials proposed to be used for the external walls have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the</p>

	<p>approved details.</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>
7	<p>No above ground construction works shall take place unless and until full details of the biodiversity enhancement measures across the site and a timetable for their implementation, have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The scheme shall be implemented in accordance with the approved scheme.</p> <p><b>Reason</b> - In the interest of enhancing the ecology of the area in compliance with Policy 2, 28 and 31 of the South East Lincolnshire Local Plan (2011-2036).</p>
8	<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"> <li>• The number of charging points;</li> <li>• Location of charging points;</li> <li>• Specification of charging points;</li> <li>• Timetable for the implementation of the above measures.</li> </ul> <p>The development shall then be carried out in strict accordance with the approved details.</p> <p><b>Reason:</b> 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>

## INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

### Highway Informative 03

The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact [vehiclecrossings@lincolnshire.gov.uk](mailto:vehiclecrossings@lincolnshire.gov.uk)

### 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.