

Development Management Delegated Decision Report

B/21/0072



SUMMARY OF APPLICATION				
Application Reference	B/21/0072			
Application Type	Approval of Reserved Matters			
Proposal	Application for approval of Reserved Matters Access, Appearance, Landscaping, Layout and Scale following outline approval B/19/0326 (Outline application with all matters reserved for later approval for erection of a single dwelling)			
Location	Land off Kirton Holme Road, Kirton Holme, Boston, PE20 1TE			
Applicant	M R and C M Senior			
Agent	Mr Julian Warrick, Julian Warrick			
Received Date:	22-Feb-2021	Consultation Expiry Date:	24-Mar-2021	
Valid Date:	22-Feb-2021	Statutory Expiry Date:	19-Apr-2021	
Date of Site Visit:	02-Mar-2021	Extension of Time Date:		
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:	13/04/2021			



OFFICER REPORT

SITE AND SURROUNDINGS:

The application site comprises a roughly rectangular parcel of land which is laid to grass. As per the South East Lincolnshire Local Plan, the site is within the settlement boundary and Conservation Area for Kirton Holme. The site is essentially surrounded by residential development.

DETAILS OF PROPOSAL:

The original approval was for the erection of one dwelling with all matters reserved for later approval, with this submission seeking approval for said reserved matters (access, appearance, landscaping, layout and scale).

Upon review of the submission, the officer had some significant concerns around the potential impacts on amenity. Lengthy discussions then took place between the agent and officer regarding potential changes to further protect neighbouring amenity.

Amended plans were submitted and the patio was subsequently lowered, with full details of the scheme are shown on the following plans and documents:

- J148- PL 1C – Block Plan and Location Plan;
- J148- PL 2C – Visibility Splay;
- J148- PL 3A – Plans and Elevations;
- J148- PL 4B – 3D Views;
- Statement regarding condition 7 of planning permission B/19/0386 - pollution & low carbon energy;
- Biodiversity Enhancement Plan (Inspired Ecology, February 2021).

RELEVANT HISTORY:

- B/19/0326 - Outline application with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved for later approval for erection of a single dwelling – Approved on 11/11/2019;
- B/06/0703 - Outline planning permission for residential development (One Plot) – Refused on 11/12/2006.

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 28 – The Natural Environment;

- Policy 29 – The Historic Environment;
- 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;
- Section 15 – Conserving and enhancing the natural environment;
- Section 16 – Conserving and enhancing the historic environment.

CONSULTATION RESPONSES:

Black Sluice Internal Drainage Board

Made the following comments:

- No information within the application as to how surface water from the property is to be discharged;
- Any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. Evidence that soakaways are suitable for the site must be submitted to the planning authority for their approval;
- Should soakaways prove unsuitable, then the applicant should submit details of an alternative scheme to the 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;
- The existing ground level of the site should not be raised above the level of any surrounding land unless measures are taken to prevent possible flooding or waterlogging of any neighbouring land or properties, particularly during high intensity short duration storm events or prolonged heavy rainfall.

Kirton Parish Council

As they did not meet again until 18/03/21, an extension to provide comments shortly after was requested. An extension for comments was given to 19/03/21 yet no comments have been received.

Environment Agency

Have no objection.

Environmental Health

Have no objections as details of how they are to reduce the environmental impact of this development have been submitted and this includes the incorporation of air source heating, solar panels and EV charging point.

Lincolnshire County Council

Have no objections as the access has good visibility, in addition to off street parking and turning being proposed.

Historic Conservation Advisor

Made the following comments:

- The site is within the Kirton Holme Conservation Area and to the southwest of the site there are 2 Grade II Listed Buildings, Holme House and Holme House Stable Blocks;
- The 'House Type' design that had been submitted as part of the B/19/0326 application shows materials that preserve and enhance the special interest of the Conservation Area have been selected. The design exhibits the use of a pantile roof and red brick – Previous planning officer report supported this;
- There is a change in materials which will negatively impact the setting of the Conservation Area;
- Overall, it is felt that the 'Approval of Reserved Matters' application can be granted on the condition that more suitable building materials are used such as red brick as the current design has the potential to negatively impact the historic setting of the Conservation Area.

THIRD PARTY REPRESENTATIONS RECEIVED:

One third party representation was received in the form of comments from the occupiers of 'The Evergreens', with their comments summarised below:

Amenity

- Two clear windows on their side elevation which look into the proposed garden/ snug – loss of privacy for both themselves and the future occupier;
- Patio doors better looking south than west to their property;
- Raised patio will be 0.5m higher than finished floor level of their property – overlooking issues and the fence will effectively become 1.5m;
- Appreciate clear efforts to move the property far away from western boundary as possible;
- Air source heating – can be quite noisy and cannot see details – could be bad if along western boundary.

Scale of build

- Outline stated it would be a modest and this proposal is for five bedrooms (all double);
- Lack of space for the snug and patio due to scale of build?

Drainage

- Confirm details for drainage to western boundary;
- No detail to show storm water drainage has been considered between the properties as there is no highways drainage in the village and properties rely on soakaways;
- Property struggles with their own storm water runoff, please ensure level lifting will not lead to additional water onto their land.

EVALUATION:

This application is for the approval of reserved matters for the erection of one dwelling following the grant of outline planning ref: B/19/0326. 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;
- Historic environment;
- Impact on residential amenity;
- Vehicle parking and access;
- Flood risk and surface water disposal;
- Natural environment;
- Air quality.

Design and layout

he build is sited to face onto Kirton Holme Road which will be in keeping with the layout of adjacent properties.

Turning to the design of the build, the proposal is bound by a condition attached to the original consent requiring the finished floor level to be raised by 0.5m, so it is down to any plans to demonstrate how the proposal can be raised without any additional brickwork being an incongruous feature on the streetscene. The proposed plans and elevations show sleeping timbers which will hide the raised stairs and ramp to the frontage. This is deemed acceptable.

Turning to the scale of the build, the proposal is for a two storey dwelling comprising five bedrooms. It is acknowledged the scale of the build has somewhat increased from the outline application plans. The officer is of the view that whilst the scale has increased, it is at the upper limit of acceptability without forming the appearance of cramped development. Should the build have been any larger then this would have likely been of concern.

The materials have been clearly set out on the proposed block plan and their impact on the historic environment is addressed in the next sub section of this report. The brick will

comprise a red-multi whilst the roofing will be slate. The windows will comprise dark grey UPVC, whilst the rainwater goods will be black UPVC and the front door will be oak. From review of the elevations, it is deemed the proposal will achieve an appropriate mix of a contemporary appearance with the large openings to the frontage, whilst ensuring the character of the area is respected.

2m high boundary fencing is proposed and this is deemed acceptable. The agent did consider raising this further to 2.2m to combat potential amenity issues, however, this was deemed unacceptable.

Turning can clearly be provided to the frontage of the property.

The design and layout are, therefore, acceptable.

Historic environment

The main comments for consideration from the Historic Conservation Advisor are their concerns regarding moving away from the red brick build, how this will not be in keeping with surrounding development and detract from the Conservation Area. Slate roofing is also of concern, however, it is acknowledged this features on surrounding properties.

Firstly, the proposed block plan indicates the brick will be 'Michelmersham – Hampshire Stock Red Multi' and provides a picture of the bricks appearance on the same plan. This appears to be acceptable to the officer and will maintain the red brick appearance. Furthermore, there is a mix of properties in the area which include a range of materials, one of which is a white rendered property north east of the site, so it is difficult to justify this point.

The roofing, as the Conservation Advisor outlines, is slate and a number of properties have similar roofing.

The officer is of the view, therefore, the proposed materials are acceptable.

Impact on residential amenity

As previously highlighted, concerns were raised with the original scheme on amenity grounds and amended plans have been submitted in an attempt to address these.

Firstly, the vehicle generation from one dwelling is not of concern in terms of amenity, especially as the access is straight off Kirton Holme Road and does not run between any properties.

Albeit the scale of the build is somewhat bigger than that previously proposed, it is deemed on the limit of acceptability and will not be overbearing or lead to unacceptable overshadowing.

Potential noise from the air source unit was raised as a concern from those who commented on the application. Whilst the amended plan shows this to be installed on the western elevation of the proposal, there is sufficient distance to the neighbouring property. Furthermore, the Town and Country Planning (General Permitted Development) (England) Order 2015, Schedule 2, Part 14, Class G outlines where air

source heat pumps are permitted development, and from review of the submission this would technically meet the requirements set out in that particular provision.

The main issue is potential overlooking and a loss of privacy. The first floor window on the west elevation will serve a bathroom and measures can be put in place via planning condition to ensure amenity is protected in this regard for both neighbouring and future occupier's amenity.

The build has to be raised by 0.5m to comply with the outline consent, with the proposal having a snug and raised patio to the rear of the property. The snug has patio windows/doors on the western elevation, whilst the patio was also to be raised by 0.5m. This was subject to extensive discussions between the agent and officer, with the officer making it clear a 0.5m raised patio to the rear of the property would not be acceptable. The agent proposed to raise the fencing to 2.2m which was not deemed acceptable, then suggested extensive planting to the rear western boundary to eliminate potential overlooking/ loss of privacy issues. This was again deemed not acceptable as planting is not development, so these could be removed at any point and would not be enforceable, in addition to not designing out the issues associated with the build. Revised plans were then received with the raised patio now to be raised by 0.2m, with no changes to the snug.

Whilst the snug has not changed, there is sufficient distance between this and the ground floor side elevation windows of the adjacent property. In addition, there will be a 2m boundary fence and planting between said properties. For those reasons, it is considered the proposal is acceptable in this respect.

Turning to the revised patio and it being lowered, by virtue of it being lowered and the boundary fencing being 2m, this means the critical height of 1.8m which is usually associated with boundary treatments is achieved. This was considered imperative when considering the siting of the patio.

The scheme is now acceptable on amenity grounds.

Vehicle parking and access

Access will be achieved via Kirton Holme Road and there is good visibility in both directions, with Highways also deeming the access to be acceptable.

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. From the submitted plans the scheme is policy compliant in this respect.

There are, therefore, no concerns on access, parking and highway grounds.

Flood risk and surface water disposal

No drainage strategy has been submitted with this submission, so the applicant will still be bound by condition 6 of permission B/19/0326 to provide these details.

In respect of the build itself being raised by 0.5m, the EA were consulted and confirmed they had no objections to the proposal.

Subject to an appropriate drainage strategy, the scheme is deemed acceptable on flood risk grounds.

Natural Environment

Condition 9 of the original consent required biodiversity enhancement measures to be submitted to and approved by the LPA.

This application is accompanied by a Biodiversity Enhancement Plan which outlines what measures the proposal will incorporate and a timeframe for their inclusion within the programme of works.

Whilst the details seem acceptable, a formal condition discharge application will be needed discharge condition 9 of the original consent.

Air quality

Condition 7 of the original consent required measures aiming to reduce pollution and promote renewable and low carbon energy to be submitted to and approved by the LPA.

Details have been submitted which show the proposal includes measures such as the incorporation of air source heating, solar panels and an electric vehicle charging point. All help promote measures which condition 7 sought to include in the build and Environmental Health have no objections.

Whilst the details seem acceptable, a formal condition discharge application will be needed discharge condition 7 of the original consent.

CONCLUSION:

The proposal seeks reserved matters approval following outline approval for one dwelling. The details submitted have been appropriately assessed and it is confirmed there are no concerns on the character of the area, parking, highways, historic environment, natural environment and air quality grounds. An amended scheme means the amenity concerns have been addressed and further details are still required on how the proposal will manage surface water.

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:			

- J148- PL 1C – Block Plan and Location Plan;
- J148- PL 2C – Visibility Splay;
- J148- PL 3A – Plans and Elevations;

The boundary treatments shown on the approved plans must be installed prior to the occupation of the dwelling and remain in place thereafter.

Reason: To ensure the development is undertaken in accordance with the approved details, in accordance with Policies 2, 3, 4 and 28 of the South East Lincolnshire Local Plan (2011-2036) and with the intentions of the National Planning Policy Framework (2019).

Notwithstanding the details shown on the approved plans, before any part of the development hereby permitted is occupied/brought into use, the first floor window on the west elevation shall have been installed with obscure glazing and with no opening part being less than 1.7m above the floor level immediately below the centre of the opening part. The obscure glazing must be obscured to a minimum of Pilkington - Privacy Level 3 or an equivalent product. Once installed, the window units shall thereafter be retained as such at all times.

No further or additional first floor windows on the west elevation should be installed.

Reason: To safeguard the privacy of the occupiers of the neighbouring properties in accordance with Policies 2, 3 and of the South East Lincolnshire Local Plan (2011-2036).

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

Details were submitted within this submission in regards to conditions 7 and 9 of permission B/19/0326. Whilst the submitted information appeared to meet the requirements of the conditions (albeit reference was made to solar panels on the southern roofline which were not shown on the approved plans for this application), the Applicant is advised that these must be submitted through a formal condition discharge application and cannot be dealt with or signed off as part of this application. Similarly attention is drawn to the requirement for this Reserved Matters approval to be read in conjunction with the earlier Outline application, including any conditions.

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

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.