

# Development Management Delegated Decision Report

B/21/0262



| SUMMARY OF APPLICATION            |  |                                  |                       |
|-----------------------------------|--|----------------------------------|-----------------------|
| <b>Application Reference</b>      | B/21/0262  |                                  |                       |
| <b>Application Type</b>           | Outline Planning Permission  |                                  |                       |
| <b>Proposal</b>                   | Outline Application with all matters reserved (Access, Appearance, Landscaping, Layout and Scale) for the erection of 1no. 2 storey dwelling |                                  |                       |
| <b>Location</b>                   | Land Adjacent to Knebworth House, Church End, Wrangle, Boston PE22 9EW   |                                  |                       |
| <b>Applicant</b>                  | Midgate Properties Ltd   |                                  |                       |
| <b>Agent</b>                      | Mr Arthur Barton   |                                  |                       |
| <b>Received Date:</b>             | 04-Jun-2021  | <b>Consultation Expiry Date:</b> | 12-Jul-2021           |
| <b>Valid Date:</b>                | 11-Jun-2021  | <b>Statutory Expiry Date:</b>    | <b>06-Aug-2021</b>    |
| <b>Date of Site Visit:</b>        | ---  | <b>Extension of Time Date:</b>   | ---                   |
| <b>Objections received?</b>       | No   |                                  |                       |
| <b>5 day notification record:</b> |  |                                  |                       |
| <b>Councillors notified</b>       | <b>Date</b>  | <b>Response received – date</b>  | <b>Ok to continue</b> |
|                                   |  |                                  |                       |
| <b>Recommendation</b>             | Approve  |                                  |                       |
| <b>Report by:</b>                 | Richard Byrne  |                                  |                       |
| <b>Date:</b>                      | 26 <sup>th</sup> July 2021   |                                  |                       |

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site is located within the settlement boundary of Wrangle. The site comprises a parcel of land adjacent to a replacement dwelling (Knebworth House) that was constructed in 2009.

To the west lies a blacksmith's forge comprising a steel framed fibre cement workshop, opposite to the south lies detached houses and to the north are open fields. There is an open dyke to the rear, part conifer hedgerow and warehouse to the western side, fencing forming the eastern side boundary and an open frontage.

### DETAILS OF PROPOSAL:

The proposal seeks outline planning consent for a detached two storey dwelling with all matters reserved for later consideration.



### **RELEVANT HISTORY:**

B/20/0070 - Land adjacent to Knebworth House, Church End, Wrangle, Boston, PE22 9EW. Granted 14 April 2020.

B/18/0058/OUTL - Outline application with all matters reserved for the erection of detached two storey residential dwelling. Granted 11 April 2018.

Adjacent site:

B/09/0123 – replacement dwelling (Knebworth House) – approved.

### **RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:**

The application site is within the settlement boundary and is unallocated by the Proposals Map associated with the South East Lincolnshire Local Plan (2011-2036). The following SELLP Policies are considered to be relevant:

- Policy 1: Spatial Strategy
- Policy 2: Development Management
- Policy 3: Design of New Development
- Policy 4: Approach to Flood Risk
- Policy 10: Meeting Assessed Housing Requirements
- Policy 11: Distribution of New Housing
- Policy 17: Providing a Mix of Housing
- Policy 28: The Natural Environment
- Policy 29: The Historic Environment;
- Policy 30: Pollution; and,
- Policy 31: Climate Change and Renewable and Low Carbon Energy.
- Policy 36: Vehicle and Cycle Parking

### **OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:**

At the heart of the National Planning Policy Framework (2021) 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 8 – Promoting Healthy and Safe Communities
- Section 9 - Promoting sustainable transport
- 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

### **National Planning Practice Guidance (PPG)**

## **CONSULTATION RESPONSES:**

### **Environmental Health – received 17 June 2021**

- No objections to this application in principle.
- Electric or hybrid-electric powered vehicles currently form a small percentage of the total number of vehicles on the road. However, electric/hybrid vehicles will become more popular, as further advances in technology are anticipated, and the likelihood is that these vehicles will become less expensive. Together with future development of Government policy in this area, it is possible that a significant percentage of vehicles will be electric or part electric powered in the near future. A key theme of the NPPF is that developments should enable future occupiers to make green vehicle choices and it explicitly states that low emission vehicle infrastructure, including electric vehicle (EV) re-charging, should be provided. Boston Borough Council and South Holland DC have developed specific guidance for developers on air quality and mitigation measures which is embedded within the new local plan. This includes provision of electrical vehicle recharging points. The provision of electric charging points also helps meet environmental objectives of the 4th Lincolnshire Transport Plan (April 2013) and Boston Transport Strategy (2016 – 2036). I would therefore request an electric vehicle recharging point is provided as part of the proposed development.
- Whilst the site appears not to have had any previous contaminative use it is requested that a condition regarding unforeseen contamination is attached to any consent.

### **Witham Fourth IDB – 25 June 2021**

- Board's Byelaw consent is required to directly discharge surface water to a watercourse (open or piped). A surface water development contribution (SWDC) will be charged on all rates of discharges. Please contact the Board for more information.
- Board's consent is required to discharge treated water to a watercourse (open or piped).
- Board's Section 23 consent is required to culvert, pipe, or bridge the watercourse.
- If there is any change to the surface water or treated water disposal as stated in the application, please contact the Board to discuss the new arrangements.
- SUDS/drainage response sent to LCC.

### **Highway Authority – 8 July 2021**

- The principle of development is acceptable.
- As this is an outline application with all matters reserved, access and layout have not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning and layout; as detailed within the Lincolnshire County Council Design Approach and Development Road Specification.

## **THIRD PARTY REPRESENTATIONS RECEIVED:**

As a result of publicity no representations have been received.

## **EVALUATION:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Plan unless material considerations indicate otherwise. The key planning issues in the determination of this application are:

- Principle of development;

- Effect on existing pattern of development;
- Flood risk and drainage;
- Impact on residential amenity;
- Impact on highway safety;
- Ecology; and,
- Water use/air quality issues.

### **Principle of development**

SELLP Policy 1 sets out a hierarchy of settlements and states that development will be permitted within the settlement boundaries of these respective settlements providing the proposed development supports the designated role of the settlement in which it is to be executed.

The application site is located within Wrangle's settlement boundary (minor service centre) and given the scale of the development it would not threaten the longer term approach for the provision of housing within the Borough. The proposed development would support Wrangle's role as a minor service centre for the settlement, contribute towards sustaining existing facilities and helps meet the service needs of other local communities.

Therefore it is considered that the principle of development is acceptable.

### **Effect on existing pattern of development**

The application proposes to erect one dwelling on a circa 0.03ha site. The surrounding locality exhibits a range of densities for residential dwellings. Located on the opposite side of the road to the application site are detached dwellings, all of which demonstrate a comparable density to the proposed development. It is considered the proposed development would not be untoward to the village density.

It is considered the indicative site plan demonstrates that there is scope to locate the proposed dwelling within the site. Taking into account the planning history it has been shown previously the site can accommodate a two storey detached dwelling which complements the existing character and appearance of the area. As such it shows the site is capable of accommodating a dwelling and respecting the existing character of the street and the approach into the village.

The result of the cumulative information detailed in the indicative plans demonstrates the development that would be acceptable in principle.

### **Flood risk and drainage**

SELLP Policy 4 seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. It identifies the process by which planning applications in Flood Zones 2 and 3 will be considered, and sets out particular requirements for certain types of applications.

The site is located in flood zone 3 and as such a flood risk assessment has been submitted to accompany the application. The flood risk assessment details the measures that would be carried out to reduce the impact of flooding on the proposed structure, this includes the

installation of a ground floor level of 3.13m ODN. It is noted that a two storey dwelling would provide safe refuge at first floor.

Policy 4 requires development to demonstrate that it cannot be located on another site at lower risk of flooding by means of a Sequential and Exceptions Test. This is in line with national policy and guidance. This is for a minor development proposal, and the single dwelling would be located within an area where other residential properties exist and within an area where the general principle of development is acceptable. Therefore planned growth is allowed and this would contribute positively to the housing stock, these factors weigh in favour of the proposal. That said, there is an argument which suggests that there is no specific requirement for a dwelling in this location and given this, it is not possible to strictly pass a Sequential or Exceptions test for this development and this weighs against the proposal. Overall though, these matters pull against each other equally, and whilst the proposal may not comply with the full requirements of policy 4 and its objectives, as the proposal is in an area where the plan allows growth to take place, it is considered that it would be unreasonable to refuse permission on this basis.

Taking into account the FRA and that the flood hazard and depth is low it is considered the proposed development would not in principle pose a flood risk. It is considered expedient to secure the mitigation measures by planning condition to ensure the development remains acceptable.

In respect of the site's drainage the FRA proposes to dispose of surface water through soakaways designed in accordance with BRE Digest 363. This can be secured by planning condition.

### **Impact on residential amenity**

SELLP Policy 2 and 3 will permit development providing that sustainable development considerations are met, specifically in relation to the size, scale, layout, density and impact of the development on the amenity and the relationship to existing development and land uses.

The NPPF seeks to ensure a good standard of amenity for all existing and future occupants of land and buildings.

Given the application is in outline seeking the principle of development, a full assessment will be undertaken when the design, height and scale of the dwelling is known i.e. at the reserved matters stage. There is confidence that a scheme can be designed to respect the existing level of amenity given the planning history and approval of the previous consent for one dwelling.

### **Impact on Highway Safety**

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

The indicative site plan details an access would be formed onto Church End. In the absence of an objection from the Highway Authority it is considered the proposed development in principle is acceptable in respect of the impact on highway safety. An informative note will advise the applicant of the design and specification of any new access onto Church End.

## **Ecology**

SELLP Policy 3 requires the incorporation of existing hedgerows and trees into development proposals, and the provision of appropriate new landscaping to enhance biodiversity.

SELLP Policy 28 requires all development proposals to provide an overall gain in biodiversity.

SELLP Policy 31 requires all development proposals to incorporate measures which promote and enhance green infrastructure and provide a net gain in biodiversity.

It is therefore considered necessary for a condition to be applied to require the submission and approval of measures to ensure that a net gain in biodiversity will be achieved (e.g. through the incorporation of nest bricks as sought by the respondent). This will ensure the proposal will provide a net gain in biodiversity and will meet these requirements of Policies 3, 28 and 31 of the Local Plan.

## **Water use/air quality issues**

Policy 3 of the Local Plan requires development proposals to minimise the use of water, and Policy 31 specifically requires residential development to comply with the Building Regulation water efficiency standard of 110 litres per person per day.

Policy 30 of the Local Plan requires development proposals to include suitable measures to mitigate any adverse impact on air quality.

The application and accompanying documents do not address issues concerning water use. However, it is considered that this matter can be adequately dealt with by the attachment of a condition to require the water consumption of the dwelling to not exceed 110 litres per person per day.

In respect of measures to mitigate an effect on air quality, again, a Grampian planning condition would enable the applicant to explore all the available options for a future submission.

## **CONCLUSION:**

The site lies within Wrangle's settlement boundary and therefore in principle the proposed residential development is acceptable.

It is relatively low density and whilst the layout is indicative it is considered that a dwelling could be accommodated within the site without adversely harming the character and appearance of the edge of village location.

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

## **RECOMMENDATION:**

Approve, subject to the following conditions and reasons.

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|-----------------------------|--|
| <b>CONDITIONS / REASONS</b> |  |
|-----------------------------|--|

|                                     |  |       |
|-------------------------------------|--|-------|
| Pre-commencement conditions?        |  | None. |
| Agreed with applicant/agent - Date: |  | N/A   |
|                                     |  |       |
| 1                                   | <p>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.</p> <p><b>Reason:</b> 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).</p>  |       |
| 2                                   | <p>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.</p> <p><b>Reason:</b> Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.</p>   |       |
| 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><b>Reason:</b> 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 and the site area (received 11 June 2021).</p> <p><b>Reason:</b> The application is granted in outline only in accordance with the provisions of Article 4 of the Town and Country Planning (Development Management Procedure) 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>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA), ref: January 2018 Version 1, prepared by RM Associates, and the following mitigation measures detailed within the FRA:</p> <ul style="list-style-type: none"> <li>• Finished floor levels to be set no lower than 3.13m ODN above Ordnance Datum (AOD).</li> <li>• The development to have at least two storeys.</li> <li>• Flood resilience and resistance measures to be incorporated into the proposed development as stated</li> </ul> <p>The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p><b>Reason:</b> To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy 4 of the South East Lincolnshire Local Plan 2011-2036.</p> |       |

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|---|---|
| 6 | <p>No above ground construction works shall take place 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. The scheme shall be implemented in accordance with the approved scheme prior to first occupation of the unit.</p> <p><b>Reason:</b> In the interest of enhancing the ecology of the area in accordance with Policy 2, 28 and 31 of the South East Lincolnshire Local Plan (2011-2036).</p>   |
| 7 | <p>No above ground construction works shall take place until a scheme for the provision and implementation of surface water drainage shall be submitted to and approved in writing with the Local Planning Authority. The works/scheme shall be constructed and completed in accordance with the approved plans prior to first occupation of the unit.</p> <p><b>Reason:</b> To prevent the increased risk of flooding in accordance with Policies 2 and 4 of the South East Lincolnshire Plan (2011-2036).</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 prior to first occupation of the unit.</p> <p><b>Reason:</b> 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, 2019).</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><b>Reason:</b> 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> |

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| <b>INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE</b> |
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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.

The applicant's attention is drawn to the requirements for access, parking, visibility, turning and layout; as detailed within the Lincolnshire County Council Design Approach and Development Road Specification.