

Development Management Delegated Decision Report

B/21/0325



SUMMARY OF APPLICATION

Application Reference	B/21/0325		
Application Type	Full Planning Permission		
Proposal	Demolition of existing single storey rear extension and detached double garage and the erection of a two storey rear extension and replacement detached double garage		
Location	Alvia House, Station Road, Hubberts Bridge, Boston, PE20 3QR		
Applicant	Mr Leigh Reynolds		
Agent	Mr Mark Carter, Build Design Ltd		
Received Date:	07-Jul-2021	Consultation Expiry Date:	04-Aug-2021
Valid Date:	09-Jul-2021	Statutory Expiry Date:	03-Sep-2021
Date of Site Visit:	13-Sept-2021	Extension of Time Date:	20-Sep-2021
Objections received?	None		
5 day notification record:	Not applicable		
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	GRANT Planning Permission		
Report by:	Simon Eldred		
Date:	15 th September 2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the eastern side of Station Road, Hubbert's Bridge, and contains: a two-storey detached dwelling with a single-storey lean-to element on its rear elevation; a detached garage building to the south of the dwelling; and gardens to the west and north of the dwelling. It has residential neighbours to all sides, and there is a Grade II listed building (Corner Cottage) located approximately 55m to the site's south.

DETAILS OF PROPOSAL:

It is proposed to:

- demolish the single-storey lean-to element on the dwelling's rear elevation;
- demolish the existing detached garage building;
- erect a new double garage, measuring approximately 7.8m x 6.3m in plan and standing 4.9m high at the ridge of its hipped roof (2.3m at eaves level). It will have; 2 roller doors



in its front (southern) elevation; a personnel access door in its rear (northern) elevation; and a window in its eastern elevation;

- erect a two-storey extension on the existing dwelling's rear elevation, which will provide (on the ground-floor) a lobby/utility, a WC and a garden room, and (on the first-floor) extensions to an existing bedroom and an existing bathroom. It will measure approximately 2.8m x 6.2m in plan, and stand approximately 7.8m in height (4.8m at eaves level). It will be constructed in red brick and concrete tiles to match the existing dwelling, and will have white upvc windows in its side (north-eastern) and rear elevations.

RELEVANT HISTORY:

Full planning permission (B/02/0564) was granted in 2002 for the construction of a two-storey extension on the dwelling's northern elevation.

Full planning permission (B/21/0198) was refused earlier in 2021 for the demolition of existing single storey rear extension and detached double garage, and the erection of a two-storey side and rear extension and detached double garage. The reason for refusal related to the erosion of the undeveloped space between Alvia House and Fenways, and its adverse impacts upon the character and appearance of the surrounding area.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2011-2036** shows the application site as being within Hubbert's Bridge's Settlement Boundary. No other allocations or designations apply. The following Policies are of particular relevance:

- Policy 1 – Spatial Strategy;
- Policy 2 – Development Management;
- Policy 3 – Design of New Development;
- Policy 4 – Approach to Flood Risk; and
- Policy 29 – The Historic Environment.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

National Planning Policy Framework (2021)

At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4 – Decision-making;
- Section 12 – Achieving well-designed places;
- Section 14 – Meeting the challenge of climate change, flooding and coastal change; and
- Section 16 – Conserving and enhancing the historic environment.

CONSULTATION RESPONSES:

Frampton Parish Council made the following comments:

- the proximity of the proposed garage to the highway will be dangerous;
- will drainage be adequate in the event of heavy rainfall, given the sloping nature of the site; and
- the proposed location of the garage will appear out-of-character.

THIRD PARTY REPRESENTATIONS RECEIVED:

A resident of Anton's Gowt asks for the installation of a minimum of 3 swift nest bricks to provide enhancement for biodiversity.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regard to this application are: impact on the character and appearance of the area; impact on neighbours' amenity; impact on heritage assets; flood risk; and other issues raised by respondents.

Character of the area

Policy 2 of the Local Plan indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area.

Garage – Frampton Parish Council has raised concerns that the proposed garage will appear out-of- character with its surroundings.

The proposed garage will be located within approximately 6m of Station Road and will present an elevation of nearly 8m width to that highway. This elevation will contain two recessed 'dummy' bricked-up windows which (together with the hipped roof) will give the building sufficient architectural interest to ensure that it will contribute positively to the street scene. It will be constructed in red brick and concrete roof tiles to match the existing dwelling, and it is considered that, notwithstanding the Parish Council's concerns, it will not have harmful impacts upon the character and appearance of the area.

Extension – The proposed extension will result in no changes to the dwelling's front elevation, and will not be seen from public vantage points. It will have no impact upon the street-scene, and will not harm the character or appearance of the area.

Conclusion - In all, it is considered that the proposals will not harm the character or appearance of the area and that they therefore meet these requirements of Policy 2.

Neighbours' amenity

Policies 2 and 3 of the Local Plan require the amenity of neighbouring land users to be protected.

Impact on properties to the west - There are two dwellings on the opposite side of Station Road (The Shrubberies and Fairlight) both of which will be located approximately 35m from the proposed garage. At this distance, it is considered that there will be no adverse effects in terms of overlooking/loss of privacy, over-shadowing, loss of light, or harm to outlook. The proposed extension will have no impacts upon these dwellings thanks to its location to the east of Alvia House.

Impact on the property to the north – The dwelling known as Fern Cottage is located to the north of the application site, on the opposite side of the vehicular access to Cherrytree Lodge. The garage is proposed to be built within approximately 20m of Fern Cottage, and the extension

approximately 35m. At these distances, it is considered that neither element of the proposals will have adverse impacts in terms of over-shadowing, loss of light, or harm to outlook. The garage will have no window openings in its northern elevation and the extension will have a north-facing window at ground-floor level only, and it is therefore considered that there will also be no adverse impacts in terms of overlooking or loss of privacy.

Impact on the property to the east – The single-storey dwelling known as Cherrytree Lodge is located immediately to the east of the application site, and the two properties are separated by a 2.2m-high privet hedge. The proposed garage will be located approximately 17m from the closest part of the bungalow (its integral garage) and, given this separation distance and the modest scale of the garage, it is considered that this element of the proposal will have no adverse impact in terms of over-shadowing, loss of light, or harm to outlook. Although the proposed garage will have a window in its eastern elevation, it is considered that the separation distance and existing boundary treatment will ensure that no adverse impacts from overlooking or loss of privacy will be caused.

Although the proposed extension will not bring the rear wall of Alvia House any closer to Cherrytree Lodge than it is at present, that closest part will become two-storeys in height, instead of the current single-storey, lean-to element – increasing the height of the closest parts of the rear wall from approximately 2.7m to approximately 4.7m. However, given that the rear elevation will still remain approximately 5m from the boundary and approximately 11m from the bungalow itself, it is considered that this element of the proposals will have no unacceptably adverse impacts on Cherrytree Lodge in terms of over-shadowing, loss of light or harm to outlook. The extension is proposed to have ground and first-floor windows in its rear elevation (facing Cherrytree Lodge). Whilst the existing dwelling also has such windows, these are more distant (perhaps 14m from the closest part of the bungalow, as opposed to approximately 11m as proposed). However, it is not considered that this greater proximity will create unacceptable impacts in terms of over-looking or loss of privacy.

Impact on the property to the south – The single-storey dwelling known as Fenways is located immediately to the south of the application site, and the two properties are separated by a 1.8m-high close-boarded fence. The proposed garage will be located to the north of Alvia House and will have no impacts on Fenways. The proposed extension will bring the side wall of Alvia House no closer to Fenways and will include no windows in its southern elevation. It is therefore considered that the proposed extension will have no unacceptably adverse impacts on Fenways in terms of overlooking/loss of privacy, over-shadowing, loss of light, or harm to outlook.

Conclusion - In all, it is considered that the proposals will not harm neighbours' amenity to an unacceptable degree, and that they therefore meet these requirements of Policies 2 and 3.

Heritage assets

Policy 29 of the Local Plan requires the conservation and, where appropriate, enhancement of the area's heritage assets.

The Planning (Listed Buildings and Conservation Areas) Act 1990 confirms the duty of the Local Planning Authority to have special regard to the desirability of preserving listed buildings, their setting and any features of special architectural or historic interest. In the context of Section 66 of the Act, the objective of preservation is to cause no harm. The courts have said that this statutory requirement operates as a paramount consideration – 'the first consideration for a decision-maker'. Planning decisions require balanced judgement but, in that exercise, significant

weight must be given to the objective of heritage asset conservation, and this statutory duty sits above the policy objectives identified within the earlier section of this report.

Where harm will be caused, there is a necessity to establish the extent of that harm, and consider this within the policy context. In practice, this requires a methodical approach to be followed wherein the relevant assets which could be affected need to be identified, along with their significance. Consideration can then be given to any effects on this significance resulting from the proposals, which may be reduced through mitigation. If harm is identified, it is then required to establish the scale and extent of such harm, before moving on to matters such as the planning balance and weighing the public benefits arising against any identified harm.

Heritage assets affected – Corner Cottage, which is located approximately 55m to the south-west of the application site, is a Grade II listed building. The list description reads:

“Cottage. Late C18. Red brick in English garden wall bond of 5. Concrete pantile roof with tumbled brick cope gables and 2 brick gable stacks. L-plan. Single storey plus garret, 3 bay front with brick dentillated eaves, central planked door flanked by single margin light sashes under brick segmental heads.”

Impacts of the proposals on this asset – Although the listed building is relatively close to the application site, it is separated from it by an existing building and an extensive garden. As a consequence, the site and the listed building cannot be seen in the same view from any public vantage point. Given the above, it is considered that neither element of the proposals will have negative impacts upon the significance of the listed building.

In all, therefore, it is considered that the proposals will not have harmful impacts upon heritage assets, and will meet the requirements of Policy 29 of the Local Plan, Chapter 16 of the NPPF, and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Flood risk

Policy 4 of the Local Plan seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. Frampton Parish Council questioned whether drainage will be adequate in the event of heavy rainfall, given the sloping nature of the site.

The application is accompanied by a Flood Risk Assessment which identifies potential sources and severity of flood risk, and indicates that:

- ground levels will not be raised;
- floor levels in the extension will match those in the existing dwelling;
- flood proofing of the proposals has been incorporated where appropriate;
- in the event of flooding, refuge can be taken on the upper floor;
- the proposals involve no additional ground-floor sleeping accommodation; and
- the owners will sign up for Floodline Warnings, and an evacuation plan will be prepared and understood by all occupants.

It is considered that the proposals will not increase flood risk elsewhere and, notwithstanding the concerns of the Parish Council, that they will also not be unnecessarily exposed to flood risk. In all, it is considered that the proposals meet the requirements of Policy 4.

Other issues raised by respondents

Biodiversity - A local resident has requested that a minimum of 3 swift nest bricks should be installed, in order to provide an overall gain in biodiversity as required by Policies 28 and 31 of the Local Plan and paragraph 170 of the NPPF. However, taking account of the scale of the development and the fact that the proposals would be acceptable without incorporating uplift measures, it is considered that a condition to this effect would be unreasonable and would fail to meet the tests set out in the PPG.

Highway safety – Frampton Parish Council expressed concerns that the proximity of the proposed garage to the highway will be dangerous. The proposed garage will be set back approximately 6m from Station Road, and it is therefore considered that will not interfere with visibility for highway users. Furthermore, vehicular access arrangements into the site will not be changed by the proposals. In all, therefore, it is not considered that the proposals will compromise highway safety.

CONCLUSION:

It is considered that the proposals:

- are acceptable in principle;
- will not harm the character and appearance of the area (notwithstanding the concerns expressed by Frampton Parish Council);
- will not harm neighbours' amenity to an unacceptable degree;
- will have no negative impacts upon the significance of a nearby listed building;
- are acceptable in flood risk terms (notwithstanding the concerns expressed by Frampton Parish Council);
- are acceptable without the need for biodiversity uplift measures (notwithstanding the views of a local resident);
- will not compromise highway safety (notwithstanding the concerns expressed by Frampton Parish Council); and
- meet the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2011-2036.

RECOMMENDATION:

GRANT Planning Permission subject to the following conditions and reasons:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
The development hereby permitted shall be begun before the expiration of four years from the date of this permission.	
Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.	
The development hereby permitted shall be carried out in strict accordance with the application received 07-July-2021 and in accordance with the associated plans referenced:	

- Dwg. No. 1033-01A – Block and Location Plans;
- Dwg. No. 1033-02A – Site Plans & Garage;
- Dwg. No. 1033- 03E – Proposed Plans;
- Dwg. No. 1033-04 – Elevations; and
- Dwg. No. 1033-05B – Proposed House Elevations.

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4 and 29 of the South East Lincolnshire Local Plan 2011-2036.

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 2021 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.