

Development Management Delegated Decision Report

B/21/0326



SUMMARY OF APPLICATION

Application Reference	B/21/0326		
Application Type	Outline Planning Permission		
Proposal	Outline Application with all matters reserved (Access, Appearance, Landscaping, Layout and Scale) for the erection of 1no dwelling		
Location	Land north/adjacent to, Stoneleigh, Sutterton Drove, Amber Hill, Boston PE20 3RQ		
Applicant	Mrs Freda Stephens		
Agent			
Received Date:	26-Jul-2021	Consultation Expiry Date:	31-Aug-2021
Valid Date:	28-Jul-2021	Statutory Expiry Date:	22-Sep-2021
Date of Site Visit:		Extension of Time Date:	---
Objections received?	No		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve		
Report by:	Consultant Planning Officer		
Date:	13/09/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The site is located to the north of Sutterton Drove within the settlement of Amber Hill. The application site appears to be formed in part by the residential curtilage to Stoneleigh and the remainder by an area of grassland adjacent. Stoneleigh is a modest bungalow, situated to the south of the site on the same side of Sutterton Drove.

To the north and west are further neighbouring residential properties and to the east is open countryside.

DETAILS OF PROPOSAL:

The proposal is for outline permission for one dwelling with all matters reserved. Whilst access is a matter reserved, an indicative access is identified by the red line area. The proposed site area has a width of approximately 14m and a depth of 22m in line with the depth of the curtilage of Stoneleigh.



RELEVANT HISTORY:

B/18/0118 - Outline application with all matters relating to access, layout, scale, appearance and landscaping reserved for the erection of two bungalows – Approved 7th September 2018.

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 30: Pollution
- Policy 36: Vehicle and Cycle Parking

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 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

CONSULTATION RESPONSES:

Environment Agency (12th August 2021): The site lies within Flood Zone 2. It is not affected by tidal breach or overtopping but remains at residual risk from a fluvial breach. It is not clear from the information provided to support the application if the proposed dwelling will be single or two-storey therefore we have not conditioned the flood risk assessment. The finished floor levels (FFL) should be determined and agreed in line with local planning authority standing advice, once the design and layout have been finalised. For single storey dwellings the 2115 0.1% (1in 1000) fluvial levels should be used to determine the FFL, and for two storey dwellings the 2115 1% (1in100) fluvial level. Should you require any additional information, or wish to discuss these matters further, please do not hesitate to contact me on the number below.

Lincolnshire County Council Highways Authority & Lead Local Flood Authority (18th August 2021):

- Does not wish to restrict the grant of permission.
- Informative: Outline with all matters reserved. 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.

Amber Hill Parish Council (25th August 2021): After discussion it was resolved that this application is a revision of a previous outline application which related to 2 bungalows and has now been amended to 1 dwelling so no objections.

THIRD PARTY REPRESENTATIONS RECEIVED:

None received.

EVALUATION:

Having reviewed the submitted plans, application form and relevant policies it is considered that the key material planning considerations in this case are:

- Principle of development
- Flood risk
- Impact on the character of the area
- Impact on residential amenity
- Biodiversity

Principle of development

This application is outline with all matters reserved, therefore there are no specific details to assess, only the principle of whether a dwelling on the site would be acceptable in principle.

Paragraph 2 and 47 of the NPPF confirm that ‘planning law requires that planning applications for planning permission need to be determined in accordance with the development plan, unless material considerations indicate otherwise’.

The South East Lincolnshire Local Plan (SELLP) forms the development plan for the local area and being adopted in 2019 is considered recently adopted.

Policy 1 of the SELLP sets out the spatial strategy, directing development to the most sustainable areas across the Boston and South Holland administrative areas. The application site is located within the settlement boundary of Amber Hill which is identified as an ‘other service centre and settlement’ under heading C Areas for development restraint.

Under this category of the settlement hierarchy the policy states the following:

‘Within the settlement boundaries of the Other Service Centres and Settlements (as shown on the Inset Maps) development will be permitted that supports their role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities. Development will normally be limited to committed sites and infill’.

The proposal is for a single infill plot within the settlement boundary and is limited to a scale appropriate to the role of the settlement in which it is located. The proposal for a dwelling in this location is therefore considered acceptable in principle under Policy 1 of the SELLP.

In addition, it should be noted that permission was granted for the same plot of land (with an additional plot to the south of Stoneleigh also included) under B/18/0118 in September 2018, six months before the current Local Plan was adopted. However, given the advanced stage that the plan was at, it was considered in the Officer Report that the principle of development at the site was acceptable under the draft plan policies.

The Highways Authority have been consulted from a highway safety perspective and have raised no objections to the principle of development at the site.

The proposal is therefore considered to be acceptable in principle.

Flood risk

Policy 4 of the SELLP sets out the approach to flood risk to be taken.

A Flood Risk Assessment has been submitted in support of the application. The Environment Agency have been consulted and have raised no objection to the application. On this basis, the proposal is considered to comply with the requirements of Policy 4 in relation to flood risk.

Impact on the character of the area

Policy 2 of the SELLP sets out development management principles to guide the sustainability considerations of proposals and Policy 3 of the SELLP considers the design of new development.

The National Design Guide identifies the need to consider design, not only in relation to materials and detailing, but at all levels, including layout, form and scale of buildings, their appearance and landscape (paragraph 21). It confirms that 'well-designed places are:

- Based on sound understanding of the features of the site and the surrounding context, using baseline studies as a starting point for design;
- Integrated into their surroundings so they relate well to them;
- Influenced by and influence their context positively; and
- Responsive to local history, culture and heritage.' (paragraph 40)

It is important to note that the proposal is outline at this stage with all detailed matters reserved for a future detailed application.

The site sits alongside an existing dwelling and has the same depth of plot as that existing property. There is a gap in built form to the north, but then the built form of the settlement continues in a similar way, fronting onto Sutterton Drove. There are a range of plot widths within the settlement. Given its proposed plot width and depth and its location adjacent to existing built form, it is considered that a dwelling can be designed to limit the impact on the character and appearance of the area.

Residential amenity

Policy 2, 3 and 30 of the SELLP seeks to ensure that new development does not have a significant impact on neighbouring land uses, including residential amenity.

The proposal is only outline at this stage and the detailed design for the dwelling has not been submitted for consideration. However it is important to assess at this stage whether the site is capable of accommodating a dwelling without having significant impacts on the occupiers of neighbouring land and properties.

The proposed plot is narrower (approximately 14m) than the resultant Stoneleigh plot which would have a fairly extensive frontage in comparison of approximately 35m. There is one window in the northern side elevation of Stoneleigh, which serves the garage. The neighbouring property to the north is some distance away with significant separation. The dwelling on the opposite side of Sutterton Drove will gain different outlooks from the principal elevation, but given the separation by the road, it is considered that this relationship is not unusual.

It is therefore considered that, subject to a good quality scheme which may be submitted at reserved matters stage, the site is large enough to satisfactorily accommodate a sensitively designed dwelling without causing substantial harm to the residential amenity of either existing or future occupiers.

Biodiversity

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. 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.

Other Matters

The permission granted in 2018 required that a 1.8m footway be provided across the frontage of the site. Given that the proposal is now for the one dwelling and directly opposite the site is an existing pedestrian footway it is not considered that this condition is reasonable under the current application.

Since the last permission was granted, work has been carried out to ensure that the Borough moves towards a more environmentally sensitive approach to development. Two key areas developed is the requirement for proposals to be promote renewable and low carbon energy and on water use. Conditions are therefore recommended that requires details to be submitted in this regard.

CONCLUSION:

It is considered that this proposal will represent an acceptable plot for development to this part of Amber Hill, particularly given that it is within the settlement boundary as set out on Inset no. 31 of the SELLP. Although it will represent a change to the characteristics of the sites, it is

considered that these would not be substantial enough to have a detrimental impact on the character and appearance of the area.

It is considered that subject to a sensitively designed scheme, a proposal could be developed that does not have a detrimental impact on residential amenity of existing or future occupiers. The proposal is considered to be acceptable in principle, in accordance with Policy 1 of the SELLP.

RECOMMENDATION: Approve subject to conditions.

CONDITIONS / REASONS	
Pre-commencement conditions?	N/A Outline Agreed with applicant/agent - Date:
1	<p>Approval of the details of access, appearance, layout, landscaping and scale (hereinafter called the 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.</p> <p>Reason: 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>Reason: 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>Reason: 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 one dwelling and the site area as shown on the Location Plan received on the 28th July 2021.</p> <p>Reason: 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>Notwithstanding the details shown on the approved plans, all surface water and all treated foul water run-off from the development hereby approved shall be collected and discharged through a soakaway scheme. If it is found that the use of a soakaway is not suitable in this location, details of the alternative proposed scheme for discharge of surface water must be submitted to and agreed in writing by the Local Planning Authority prior to</p>

	<p>any works taking place. Before the development hereby approved is brought into use the agreed scheme must be fully implemented and thereafter so maintained.</p> <p>Reason: To ensure the development is not at risk of flooding and does not increase the risk of flooding elsewhere, in accordance with Policies 2 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>
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>Reason: 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>The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) received on the 6th July 2021 and the following mitigation measures detailed within the FRA:</p> <ul style="list-style-type: none"> • Finished floor levels to be set no lower than 2.83m above Ordnance Datum (AOD) • Flood resilience and resistance measures to be incorporated into the proposed development as stated. <p>The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.</p> <p>Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with the National Planning Policy Framework 2021 and Policy 4 of the South East Lincolnshire Local 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.</p> <p>Reason: 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 (2021).</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>

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.

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).

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE

1. Lincolnshire County Council Highways Authority: 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. [Development Road and Sustainable Drainage Specification \(lincolnshire.gov.uk\)](http://lincolnshire.gov.uk)

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.