

# Development Management Delegated Decision Report

B/21/0358



## SUMMARY OF APPLICATION

Application Reference	B/21/0358		
Application Type	Full Planning Permission		
Proposal	Application for the substitution of Housetypes relating to 2no. dwellings (Plots 8 and 10) following approval B/17/0362		
Location	Plots 8 and 10, Land adjacent to London Road/Drainside South, Kirton, Boston, PE20 1JH		
Applicant	Richard Reed (Builders) Ltd		
Agent	Mr Lewis Smith, Robert Doughty Consultancy Limited		
Received Date:	27-Jul-2021	Consultation Expiry Date:	31-Aug-2021
Valid Date:	27-Jul-2021	Statutory Expiry Date:	21-Sep-2021
Date of Site Visit:		Extension of Time Date:	24-Sep-2021
Objections received?	No – One response requesting swift boxes.		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve		
Report by:	Consultant Planning Officer		
Date:	21/09/2021		

## OFFICER REPORT

### SITE AND SURROUNDINGS:

The application site consists of two plots (8 and 10) on a housing estate development, currently being built out, off London Road in Kirton. Plots 8 and 10 both front on to the western boundary of the site. To the north, east and south are other dwellings constructed, or under construction that form part of the development scheme. To the west is open countryside.

### DETAILS OF PROPOSAL:

The submission is a full application to amend the design of the dwellings to be built out on plots 8 and 10. The proposed change is the same for both properties, given that they are the same house type. Instead of a single storey projecting wing to the rear, it is proposed to provide a two storey projecting wing to provide additional first floor space.

The height of the proposed two storey rear wing is consistent with the front two storey projecting element.



Rather than four windows being present in the rear elevation at first floor (3 serving bedrooms and 1 serving a bathroom) there will be two windows, both serving bedrooms. One will be closer to the rear boundary than in the previous design.

### **RELEVANT HISTORY:**

**B/17/0362/NMA2** - Application under s96A for a non-material amendment to approval B/17/0362 to amend design of plots 7, 9 & 11 for internal changes and alterations to the fenestration – Approved 8<sup>th</sup> April 2021.

**B/17/0362/NMA** - Application under s96A for a non-material amendment to approval B/17/0362 to amend design of House Type 4 (plots 2, 21 & 24) and House Type 9 (plots 7, 22 & 25) – Approved 20<sup>th</sup> August 2018.

**B/17/0362** - Application under s73 for the variation of conditions 1, 2, 6 and 13 attached to approval of reserved matters ref B/16/0457 for the erection of 26 dwellings. The amendments relate to the house type as shown on plots 1 and 19 and associated changes to the layout – Approved 8<sup>th</sup> December 2017.

**B/16/0457** - Application for the approval of reserved matters for the construction of 26 dwellings including access, appearance, layout, landscaping and scale following the grant of outline planning permission for residential development ref B/15/0456 plus the discharge of conditions 4 (affordable housing) 5 (biodiversity), 9 (fire hydrant) and 10 (highway improvement works) attached to B/15/0456 – Approved 15<sup>th</sup> February 2017.

**B/15/0456** - Outline application for residential development (45 dwellings) with all matters reserved – Approved 15<sup>th</sup> June 2016.

### **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

### **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 12: Achieving well designed places

### **CONSULTATION RESPONSES:**

## **Lincolnshire County Council Highways Authority and Lead Local Flood Risk Authority (17<sup>th</sup> August 2021):**

Does not wish to restrict the grant of permission.

No obs. Having given due regard to the appropriate local and national planning policy guidance (in particular the National Planning Policy Framework), Lincolnshire County Council (as Highway Authority and Lead Local Flood Authority) has concluded that the proposed change of house types on plots 8 and 10 would have no discernible impact upon the operation of the public highway or upon surface water flood risk and therefore does not wish to object to this planning application.

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

One response received from a resident of Antons Gowt requesting the installation of 3 swift boxes. No responses received from anyone who lives or works within the vicinity of the site.

### **EVALUATION**

The proposed alteration to House Type 1 with respect to plots 8 and 10, as originally approved under reserved matters consent B/16/0457 adds a first floor above existing approved single storey built form.

There is no impact on the principal elevation as a result of the proposed alteration to the design. Although relating to other site matters relating to principle of the development, flood risk, affordable housing, and highway safety have been considered under the outline and reserved matters applications. This proposal for the two dwellings is considered acceptable in respect of the matters considered under the previous applications. The planning conditions would remain attached to the other consents and not be affected by this application.

The key additional impact to consider is the impact of the higher projecting rear wing and the resultant fenestration arrangement on the neighbouring properties to the east.

The rear elevation of the dwelling on Plot 8 aligns with the central rear boundary treatment between plots 1 and 6. 12.7m separation is retained between the proposed rear wing and the eastern rear boundary. The proposed amendment will bring one first floor window closer to the boundary, but given there were already first floor windows with views to the east in the original design, the assessment needs to be of the additional impact. The bedroom window will look down the boundary line and not directly towards the rear elevation of either of the properties adjacent. On balance, whilst there will be an impact, the proposed amendment does not significantly alter the levels of overlooking to the east of Plot 8 and therefore does not warrant a refusal on this basis.

The rear elevation of the dwelling on Plot 10 looks directly at the side elevation of the dwelling on Plot 14. An 8m separation distance is retained between the proposed rear wing and the eastern rear boundary. Reviewing the drawings for the approved House Type 10 which is located on Plot 14, the side elevation is blank. There is a separation distance of approximately 11.5m between the proposed rear wing and the blank side elevation of the dwelling on Plot 14. This is a limited separation distance but is considered, given the nature of the surrounding development to be appropriate in this case. The private amenity space associated with Plot 14, will not be

impacted upon significantly, given the alignment of the rear wing with the side elevation of the neighbouring property.

Given the established layout, the orientation and positioning of the dwellings and the proposed additional first floor, it is not considered there will be a significant impact on daylight or in terms of dominance and outlook.

### **CONCLUSION:**

The proposed amendments will not have a significant impact on the character and appearance of the area, given that they impact on the rear elevations of the properties only. On balance the amendment to the rear elevations of the dwellings located on Plots 8 and 10 are not substantial enough to create a significant detrimental impact on the amenities of the occupiers of neighbouring new build properties or the dwellings subject to the amendments.

Conditions have been applied to coincide with the wider consented scheme.

### **RECOMMENDATION:**

Approve subject to conditions

<b>CONDITIONS / REASONS</b>	
Pre-commencement conditions?	No      Agreed with applicant/agent - Date:      N/A
1	<p>The development hereby permitted shall be begun before the expiration of four 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>
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans and documents:</p> <ul style="list-style-type: none"> <li>• Location Plan – Drawing no. 1170-9-LP01 received 27<sup>th</sup> July 2021</li> <li>• Proposed Site Layout – Drawing no. 1170-9-SL01 received 27<sup>th</sup> July 2021</li> <li>• House Type 1 (H) (Plots 8 &amp; 10) – Plans &amp; Elevations – Drawing no. 1170-9_PL_HT1_GA02 received 27<sup>th</sup> July 2021</li> <li>• Single Garage Plans &amp; Elevations – Drawing no. 1170-9_PL-GT1_GA01 received 27<sup>th</sup> July 2021</li> </ul> <p><b>Reason:</b> To ensure that the development is undertaken in accordance with the approved details and to comply with Policies 1, 2, 3 and 4 of the South East Lincolnshire Local Plan 2011-2036.</p>
3	<p>The materials to be used for the external walls and roofs shall be Wienerberger Heritage Blend bricks and Shire Pantile Terracotta Red roof tiles for Plot 8 and Wienerberger Dolfino bricks and Forticrete Pan8 Red Roof Tiles for Plot 10, unless alternatives are agreed in writing with the Local Planning Authority.</p>

	<p><b>Reason:</b> 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>
4	<p>The trees subject to the Kirton, Sutterton and Algarkirk Tree Preservation Order No 1 shall be protected during construction work by chestnut pale fencing or similar fencing 1.5 metres in height erected around the tree(s) at a distance from the trunk(s) equal to the spread of the crown(s) of the tree(s). The fence shall be retained until all construction works have been completed. Within the protected area no alteration to the ground level shall take place, no additional water shall be allowed to flow in, no vehicles shall be allowed to pass, no materials shall be stored, no waste tipped, no fires lit, no pruning of branches shall take place, no services shall be rioted without the written permission of the local planning authority.</p> <p><b>Reason:</b> To protect the trees during construction work and to accord with policy 2 and 28 of the South East Lincolnshire Local Plan 2011-2036 and the objectives of the NPPF 2021.</p>
5	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any amendment or successor), no extensions or outbuildings shall be built underneath the canopies of the trees on this site subject to the Kirton, Sutterton and Algarkirk Tree Preservation Order No 1 without the prior approval of the local planning authority.</p> <p><b>Reason:</b> To protect the health and stability of the protected trees and to accord with policy 2 of the South East Lincolnshire Local Plan 2011-2036 and the objectives of the NPPF 2021.</p>

INFORMATIVES / NOTES TO BE INCLUDED ON/WITH DECISION NOTICE	
<p><u>STATEMENT OF PROACTIVE WORKING:</u></p> <p>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.</p>	