

Development Management Delegated Decision Report

B/21/0381



SUMMARY OF APPLICATION

Application Reference	B/21/0381		
Application Type	Full Planning Permission		
Proposal	Proposed Annexe extension and alterations		
Location	116 Tower Road, Boston PE21 9AU		
Applicant	Mr & Mrs P Casey		
Agent	Mr Julian Warrick, Julian Warrick		
Received Date:	16-Aug-2021	Consultation Expiry Date:	08-Sep-2021
Valid Date:	16-Aug-2021	Statutory Expiry Date:	11-Oct-2021
Date of Site Visit:	23-Sep-2021	Extension of Time Date:	15-Oct-2021
Objections received?	Yes		
5 day notification record:			
Councillors notified	Date	Response received – date	Ok to continue
Cllr Griggs	07/10	-----	Yes
Cllr Stevens	07/10	08/10	Yes
Recommendation	GRANT Planning Permission		
Report by:	Emma Dennis		
Date:	27/09/2021		

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site consists of a two-storey detached dwelling which is located on the northern side of Tower Road which is in the settlement of Boston. The application site is in a predominantly residential area which contains a mixture of property sizes and designs.

DETAILS OF PROPOSAL:

Planning permission is sought for the erection of a single storey extension to create an annexe which is to be sited in the rear garden. The annexe will measure 14.3m by 7.1m and will be constructed off the utility room of the main dwelling. The roof will consist of a flat roof with two rooflights. The height of the flat roof is 2.8m, the eastern side of the roof contains a parapet which has a maximum height of 3.3m which will shield the view of the solar panels from the neighbouring property.

The annexe will consist of a kitchen/sitting room, bedroom with en-suite and utility room. It will be constructed of:

- Walls – Dark smooth render and Siberian larch
- Roof – Dark grey fibreglass



- Windows – Dark grey aluminium
- Rainwater goods – Black UPVC
- Fascia & Bargeboards – Dark grey fibreboard.

RELEVANT HISTORY:

There is no relevant history on this site.

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; and
- Policy 4: Approach to Flood Risk.

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; and
- Section 14: Meeting the challenge of climate change, flooding and coastal change.

National Planning Practice Guidance (PPG)

CONSULTATION RESPONSES:

Witham Fourth District IDB have requested that they are to be contacted if any changes to the surface or treated water disposal arrangements than stated in the application.

Lincolnshire County Council (Local Highway and Lead Local Flood Authority) has no objections.

THIRD PARTY REPRESENTATIONS RECEIVED:

Two letters of objection have been received from the occupiers of 120 Tower Road, which is a two storey dwelling directly to the east of the application site. To summarise both letters:

- The size of the proposed development is overbearing and out of scale.
- Less than a metre from the boundary and with the overbearing size in terms of height and length.
- Have an adverse impact on the residential amenity of their property, in particular the enjoyment of their garden.
- Windows will overlook their property.

- The materials are not in keeping with the character of the existing building and the area.
- The proposed development constitutes a second dwelling and there is inadequate parking on the site, which has led to vehicles being parked either side of the driveway, directly opposite a T junction which adversely affects highway safety and the convenience of access to the property.
- The proposed development will spoil the enjoyment of the garden.

EVALUATION:

The key planning issues in the determination of this application are:

- Design of the proposal and impact on the character and appearance of the area;
- Impact on residential amenity; and,
- Flood Risk.

Design of the proposal and impact on the character and appearance of the area

Policy 2 of the SELLP indicates that developments will be permitted which will not have harmful impacts upon the character and appearance of the area. Policy 3 states that all developments must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

The proposed annexe extension is to be erected in the rear garden and will not be seen from public vantage points. The proposed annexe will not be seen as a separate dwelling, the parking and garden will be shared by the original dwelling and as a consequence it is considered that the annexe will appear functionally linked and will fall within the same planning unit as defined by the red line which defines the application site.

The proposed extension to create an annexe which is to be used in conjunction with the main dwelling. At 14.3m by 7.1m the annexe is of a generous size, scale and mass, however given the size of the garden it is considered to be acceptable.

The use of cladding will mean there are no issues with trying to match materials and gives the annexe extension a modern look to the rear elevation of the existing dwelling.

To conclude it is considered that this proposal is in accordance with SELLP policies 2 and 3.

Impact on residential amenity

Policies 2 and 3 of the SELLP seek to ensure that a new development does not significantly impact neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

Paragraph 130 of the NPPF (2021) seeks, amongst other things, to create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The front garden and driveway is spacious. As such it is considered that this proposal will not necessarily result in an increase in vehicle movements which cannot be accommodated within the site. The Highway Authority have assessed this application and concluded that as the

proposal doesn't include any change to the access and parking at the application site. Therefore it would not result in an unacceptable impact on highway safety.

The application site also includes an existing double garage attached to the eastern elevation of the host dwelling which has a pitch roof height of 4.9m to ridge and is built along the boundary shared with No.120. The proposed rear annexe extension is set back 900mm from the shared boundary line and has a roof height of 3.3m, just 1.1m of the extension will be seen above the boundary fence.

It is acknowledged that the presence of the annexe extension would have an effect on outlook from the existing ground and first floor windows and the rear garden of No.120 Tower Road. There is however a separation distance of approximately 6.2m (from the eastern wall of the annexe to the window of the ground floor garden room of No.120). Furthermore the boundary fence obscures the majority of the annexe from the neighbouring property. Given these factors it is considered that it is not sufficiently severe in respect of loss of day and light or effect on outlook to sustain a refusal of the application.

It is considered that the garden is large enough to accommodate this annexe without it being classed as overdevelopment and to have an overbearing presence.

The eastern elevation of the proposed annexe includes two high level windows which serve the corridor, these windows are set at 1.76m high and serve a non-habitable room. Therefore it is considered that there will not be an adverse impact upon loss of privacy and overlooking to the neighbouring property.

In this case the solar panels are located behind a parapet wall which minimises its effect upon the external appearance of the building and the amenity of the area.

In respect of the impact on the occupiers of nearby dwellings, the proposal is considered to accord with SELLP Policies 2 and 3.

Flood risk

Policy 4 of the SELLP seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere. The application is accompanied by a flood risk assessment which confirms that the proposed extension will be the same finished floor level as the existing property and the applicants will sign up for the early flood warning system.

It is considered that the proposals meet the requirements of SELLP Policy 4.

CONCLUSION:

To conclude this proposal is considered to be an acceptable form of development that accords with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2011-2036 and Sections 4, 12 and 14 of the NPPF (2021).

RECOMMENDATION:

GRANT Full Planning Permission subject to the following condition(s) and reason:-

CONDITIONS / REASONS	
Pre-commencement conditions?	Agreed with applicant/agent - Date:
1	<p>The development hereby permitted shall be begun before the expiration of four 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>
2	<p>The development hereby permitted shall not be carried out except in complete accordance with the following details shown on the submitted plan(s):</p> <ul style="list-style-type: none"> ▪ J156-PL 1A Block and Location Plans ▪ J156-PL 2A Plans and Elevations <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).</p>
3	<p>The annexe accommodation hereby approved shall not be occupied as an independent/separate dwelling or independent/separate business use, and shall only be used in association with, and for purposes ancillary to or incidental to the dwelling known as No.116 Tower Road as identified by the extent of the red line on plan Ref: 'Site Location Plan' 1:1250.</p> <p>Reason: To ensure the building is used in accordance with the intentions identified in the application, to prevent the creation of an additional dwelling on the site, and to comply with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan (2011-2036).</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>