

# Development Management Delegated Decision Report

B/22/0165



SUMMARY OF APPLICATION				
<b>Application Reference</b>	B/22/0165			
<b>Application Type</b>	Outline Planning Permission			
<b>Proposal</b>	Outline planning permission for the construction of a dwelling following demolition of existing garage			
<b>Location</b>	Ellen House, Boston Road, Sutterton, Boston PE20 2HD			
<b>Applicant</b>	Mr Paul Crookston			
<b>Agent</b>	Andrew Hey, AM Hey FRICS			
<b>Received Date:</b>	12-Apr-2022	<b>Consultation Expiry Date:</b>	06-Jun-2022	
<b>Valid Date:</b>	19-Apr-2022	<b>Statutory Expiry Date:</b>	14-Jun-2022	
<b>Date of Site Visit:</b>	09-May-2022	<b>Extension of Time Date:</b>	15-Jun-2022	
<b>Objections received?</b>	n/a			
5 day notification record: n/a				
	<b>Councillors notified</b>	<b>Date</b>	<b>Response received – date</b>	<b>Ok to continue</b>
<b>Recommendation:</b>	Approve with conditions			
<b>Report by:</b>	Abbie Marwood			
<b>Date:</b>	09 June 2022			

## OFFICER REPORT



## **SITE AND SURROUNDINGS:**

The site is a two storey detached dwelling and access driveway leading to single story garage building, located on Boston Road in Sutterton. There is a relatively modern housing estate to the south, comprising of two storey dwellings, and detached two storey dwellings to the north, including a single storey outbuilding belonging to the neighbour to the northern boundary (Claysdam Cottage). To the rear there is bungalow (5 Monarchs Way) and the rear garden of 6 Monarchs Way and beyond this agricultural fields.

The site is within Flood Zone 2 and 3.

## **DETAILS OF PROPOSAL:**

The proposal original sought outline planning permission for demolition of the garage and construction of 2no bungalows. This has since been amended to 1no dwelling.

## **RELEVANT HISTORY:**

None

## **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 28: Natural Environment
- Policy 30: Pollution
- Policy 31: Climate Change, Renewable and Low Carbon energy
- 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 housing;
- 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
- Section 15 – Conserving and enhancing the natural environment.

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

### **CONSULTATION RESPONSES:**

#### Environmental Health:

No objections

#### LCC Highways and Lead Local Flood Authority:

In principle, the proposed development would seem acceptable and to support any further application, the existing access will need to be widened to 4.1 metres for the first 10 metres to accommodate two-way vehicular movement for the host and new dwellings.

Additionally, both the host and new dwellings will require the provision of 2 parking spaces for a dwelling with three bedrooms or less and 3 parking spaces for a dwelling with four or more bedrooms are proposed and sufficient turning facility within the site again for the new and host dwellings to allow vehicles to enter and leave in a forward gear.

As this is a Minor Application, the applicant would need to demonstrate to the Local Planning Authority that the use of a suitable drainage system for the management of surface water is appropriate for this site to mitigate any concerns with flooding of the property, adjacent properties, and surrounding land.

#### Sutterton Parish Council:

No objections

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

Comments from Claysdam Cottage (neighbour) summarised as follows:

- Preferable that the distance of 2.5m from proposed wall to hedge
- Unknown number of bedrooms will impact number of parking spaces to be offered and whether this can be delivered. Imperative that cars are not parked on the road
- Ellen House has been vacant for at least 6 months
- Means of surface waste water is seriously looked at, preferable to have a proper drainage system rather than relying on soakaway

### **EVALUATION:**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the Local Plan unless material considerations indicate otherwise.

The key considerations in regard to this application are:

- matters of principle;
- impacts on the character and appearance of the area
- impacts on neighbours' amenity;
- flood risk;
- biodiversity;
- highway safety (including parking provision)

## **Principle**

The site falls within the settlement boundary of Sutterton, which is classified as a Main Service Centre within Policy 1 of the South and East Lincolnshire Local Plan (SELLP). In Main Service Centres development will be permitted that supports their role as a service centre and helps sustain existing facilities. The principle of the proposal is therefore considered acceptable in accordance with Policy 1 of the SELLP.

## **Character and Appearance**

The proposal seeks outline permission on an area that currently forms garden land to the rear of the host dwelling, Ellen House. Ellen House is a detached 2 storey dwelling and to the north the street is characterised by detached two storey properties within good sized plots. To the south of the application site is a relatively modern housing estate known as Monarchs Road. Properties on this road form the southern boundary of the application site.

The proposal would not be infill development, rather it would be back-land development to the rear of Ellen House. However, the layout of Monarchs Road and Greenacre Close, opposite the site, provide precedents in the locality for similar style of development, to the rear of frontage properties. In addition, the site is also within the settlement boundary of the village and it is considered that it would not extend the built footprint unacceptably or have a detrimental impact upon the character of the area or surrounding countryside.

Policy 2 of the SELLP requires proposals have regard to size, scale, layout, character, design, and impacts on neighbouring uses. Following consultation responses and discussions with the applicant, the proposal has been amended from 2no dwellings to a single dwelling, in order to better reflect the surrounding density and character of the area.

Whilst the application seeks outline consent, and therefore the submitted information is not detailed at this stage, it is considered that one dwelling in this location would not have a detrimental impact upon the character or appearance of the area, in accordance with Policy 2 of the SELLP.

## **Neighbouring Amenity**

The site has neighbouring properties to the north and south, neighbouring garden to the east and the host dwelling (Ellen House) to the west. Policy 2 and 3 of the SELLP requires development to be of high quality design and not adversely impact upon the residential amenity of neighbours.

Having reduced the proposed number of dwellings from 2no to 1no, it is considered that the plot could comfortably contain a single dwelling, whilst providing appropriate

separation distances from neighbours, providing adequate amenity space and parking spaces for both the proposed dwelling and the existing Ellen House.

Comments from a neighbouring property raise queries in relation to the distance from the hedge, parking and surface water arrangements. It is considered that the reduction to 1no dwelling would address these concerns, by enabling more amenity space and parking spaces to be provided within the plot. Surface water drainage details can be controlled by way of a planning condition.

It is therefore considered that the proposal would not have a detrimental impact upon neighbouring amenity, in accordance with Policy 2 and 3 of the SELLP.

### **Flood Risk**

The site is within Flood Zone 2 and 3 and a Flood Risk Assessment has been submitted with the application. The sequential test is not required for minor development under Policy 4, therefore the Exception Test must be passed, to demonstrate the development would be safe from flooding. Part of the site is at low risk of residual flooding from tidal sources up to 0.25m. Standing advice from the Environment Agency states that for sites within 0 – 0.25m hazard areas, finished floor levels should be 300mm above ground level.

Mitigation measures proposed in the FRA include the minimum floor level to be 3.65m AOD and additional flood resilience measures to be included, such as backwater valves, non-return valves and electrical installation above 3.95m AOD.

Matters of scale are reserved for consideration at a later stage, however it is considered that the proposed mitigation in the Flood Risk Assessment would provide adequate mitigation for future development on the site, in accordance with Policy 4 of the SELLP.

### **Biodiversity**

Policy 28 requires all development proposals to provide an overall net gain in biodiversity. The site has hedgerows to the boundary and is close to open countryside. It is considered that a landscaping scheme (including biodiversity uplift measures) can be provided at reserved matters stage to ensure an overall gain in biodiversity is achieved, in accordance with Policy 28 of the SELLP.

### **Highway matters**

Policy 36 requires all development to provide vehicle and cycle parking, in accordance with adopted minimum standards. For new dwellings this requires 2 spaces for dwellings up to 3 bedrooms and 3 spaces for dwellings with 4 or more bedrooms. It is considered that with the reduction in proposed dwellings from 2no to 1no that an appropriate level of parking can be provided within the site for both the proposed dwelling and Ellen House, in accordance with Policy 36 of the SELLP.

### **CONCLUSION:**

It is considered that the principle of 1no dwelling in this location is acceptable and would not have a detrimental impact upon the character of the area or the amenity of

neighbouring residents, in accordance with the Policies contained within the South and East Lincolnshire Local Plan.

### **RECOMMENDATION:**

Grant Outline consent, subject to conditions

<b>CONDITIONS / REASONS</b>			
Pre-commencement conditions?	Yes	Agreed with applicant/agent - Date:	14/6/2022
1.	<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>		
2.	<p>No development, other than demolition, shall take place until, plans and particulars of the appearance, access, layout and scale of the building to be erected and the landscaping of the site (hereinafter called 'the reserved matters') have been submitted to and approved in writing by the Local Planning Authority. The development must thereafter be carried out in accordance with those details.</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>		
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>No development hereby permitted shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:</p> <ul style="list-style-type: none"> <li>- Times and days of work</li> <li>- Methodology for demolition and removal of existing garage</li> <li>- Measures to ensure noise and dust are adequately managed</li> </ul> <p>The development shall thereafter be undertaken in strict accordance with the Construction Management as approved.</p> <p>Reason: In the interests of residential amenity, in accordance with Policy 30 of the South East Lincolnshire Local Plan (2011–2036).</p>		

5.	<p>With the exception of the detailed matters referred to by the conditions of this consent, the development hereby approved must be carried out in accordance with Location Plan PC0a.</p> <p>Reason: To ensure the development proceeds in accordance with the approved plans and to accord with the National Planning Policy Framework 2021be and South East Lincolnshire Local Plan (2011-2036).</p>
6.	<p>No construction works above ground level must take place until details of a scheme for the management and disposal of foul and surface water (including any necessary soakaway/percolation tests) from the site and a plan identifying connectivity and their position has been submitted to and approved in writing by the Local Planning Authority. No occupation shall occur until the approved scheme has been carried out.</p> <p>Reason: To ensure adequate drainage facilities are provided to serve the dwelling, reduce risk of flooding in accordance with the National Planning Policy Framework 2021 and Policy 4 of the South East Lincolnshire Local Plan (2011-2036).</p>
7.	<p>The minimum width of the access shall be 4.1m metres for the first 10m.</p> <p>Reason: To ensure safe access to the site and each dwelling in the interests of residential amenity, convenience and highway safety in accordance with Policy 3 of the South East Lincolnshire Local Plan (2011-2036) and National Planning Policy Framework 2021.</p>
8.	<p>The development hereby approved shall be undertaken in accordance with the submitted Flood Risk Assessment, dated April 2022 by Roy Lobley Consulting, including proposed mitigation measures. The measures shall be implemented and retained thereafter.</p> <p>Reason: In the interests of safety and in accordance with Policy 4 of the South East Lincolnshire Local Plan (2011-2036).</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 (2011-2036). The person carrying out the work must inform the Building Control Body that this duty applies. 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>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).</p>
10.	<p>When application is made to the Local Planning Authority for approval of reserved matters, that application shall be accompanied by a scheme of landscaping and tree planting indicating, inter alia, the number, species, heights of planting and positions of all trees in respect of the land to which that application relates, together with details of post-planting maintenance and such a scheme shall require the approval of the Local Planning Authority before any development is commenced. Such scheme as is</p>

	<p>approved by the Local Planning Authority shall be carried out and completed in its entirety during the first planting season following practical completion of the development. All trees, shrubs and bushes shall be maintained by the owner or owners of the land on which they are situated for the period of five years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary.</p> <p>Note: The submitted landscaping proposals shall demonstrate that Biodiversity Net Gain will be achieved on site, using the Biodiversity Metric 3.0 (or any successor).</p> <p>Reason: To ensure that the development is adequately landscaped, in the interests of its visual amenity in accordance with Policies 2 and 3 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>	
<u>STATEMENT OF PROACTIVE WORKING:</u>	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.