

Development Management Delegated Decision Report

B/23/0082



SUMMARY OF APPLICATION				
Application Reference	B/23/0082			
Application Type	Approval of Reserved Matters			
Proposal	Approval of reserved matters (Access, Appearance, Landscaping, Layout and Scale) following outline approval B/21/0499 (Outline application with all matters (Access, Appearance, Landscaping, Layout and Scale) reserved for later approval for erection of one dwelling)			
Location	Dial House, Timms Drove, Low Grounds, Boston, PE20 3PG			
Applicant	Mr & Mrs John and Tracy Claydon			
Agent	Miss Queenie Cheng, Partners In Planning and Architecture Ltd.			
Received Date:	02-Mar-2023	Consultation / Publicity Expiry Date:	27-Mar-2023	
Valid Date:	02-Mar-2023	Statutory Expiry Date:	27-Apr-2023	
Date of Site Visit:	17-May-2023	Extension of Time Date:	25-May-2023	
Objections received?	None			
5 day notification record: Not applicable				
	Councillors notified	Date	Response received – date	Ok to continue
Recommendation	Approve with Conditions			
Report by:	Simon Eldred			
Date:	18 th May 2023			

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the southern side of Timms Drove, a single-track rural road without street-lights or footways, which is subject to the national speed limit. The site is located in the countryside with the majority of surrounding land in agricultural use, although there is a loose group of dwellings and other buildings in the immediate area.

The site itself consists of a grass paddock containing a timber outbuilding and the foundations of former brick structures.



DETAILS OF PROPOSAL:

This application is for the approval of reserved matters, following the outline approval B/21/0499 on 14th January 2022. The outline planning permission was granted subject to eleven conditions.

The scheme now submitted consists of:

- a detached, two-storey, five-bed dwelling, which is proposed to be located towards the rear of the plot, and will measure 15.8m x 11.9m in plan and will stand 7.8m-high at ridge-level;
- a detached, one-and-a-half storey outbuilding, which is proposed to be located to the north-east of the dwelling. This building will provide a double garage, a dog room and a gym/play room;
- an area to the north of the dwelling for the parking and manoeuvring of vehicles, accessing Timms Drove at the centre of the plot's northern boundary; and
- gardens containing a wildflower meadow, a flowering lawn, native hedgerows, and new tree planting.

Details of the proposal are set out in:

- Drawing Number 22/049/100 – Location Plan;
- Drawing Number 22/049/101 Rev B – Proposed Block, Ecological Enhancement and Landscaping Plan;
- Drawing Number 22-049 01 Rev D – Plans & Elevations;
- Drawing Number 22-049 G Rev A – Garage Plans & Elevations;
- specification for a rainwater harvesting and storage system;
- specification for Built-in Swift, House Sparrow, starling + Bat Box;
- specification notes – Landscaping Scheme and Management Plan; and
- specification for a solar PV array.

RELEVANT HISTORY:

- B/01/0449 – full planning permission was granted on 8th March 2002 for the construction of glasshouses, packaging/storage unit, 2 water storage tanks and new vehicular access.
- B/02/0102 – full planning permission was granted on 2nd May 2002 for the siting of a temporary residential caravan.
- B/03/0355 – full planning permission was granted on 3rd October 2003 for the construction of a two storey house and a new vehicular access.
- B/03/0356 – full planning permission was granted on 31st July 2003 for the construction of a stable block.
- B/21/0188 – outline planning permission was granted on 16th July 2021 for the erection of 1 dwelling with all matters reserved for later approval.
- B/21/0499 – outline planning permission was granted on 14th January 2022 for the erection of one dwelling with all matters reserved for later approval.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2019** shows the application site as being within the Countryside, approximately 1.5km from the closest Settlement Boundary (Swineshead). The following policies are considered to be relevant to this application:

- Policy 1 – Spatial Strategy;
- Policy 2 – Development Management;
- Policy 3 – Design of New Development;
- Policy 10 – Meeting Assessed Housing Requirements;
- Policy 28 – The Natural Environment;
- Policy 30 – Pollution;
- Policy 31 – Climate Change and Renewable and Low Carbon Energy; and
- Policy 36 – Vehicle and Cycle Parking

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

At the heart of the **National Planning Policy Framework (2021)** 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 9 – Promoting sustainable transport;
- Section 11 – Making effective use of land;
- Section 12 – Achieving well-designed places; and
- Section 15 – Conserving and enhancing the natural environment.

CONSULTATION RESPONSES:

Boston Borough Council's Principal **Environmental Health** Officer indicates that they have no objections.

Lincolnshire County Council (the Local Highway and Lead Local Flood Authority) recommends that planning permission should be granted, but that two informatives should be attached to any decision notice.

Swineshead Parish Council indicates that it has no objections.

THIRD PARTY REPRESENTATIONS RECEIVED:

A **resident of Anton's Gowt** asks that 2 to 4 swift bricks should be incorporated into the proposed dwelling.

EVALUATION:

The principle of residential development on this site has been established by the extant outline approval (B/21/0499). Matters of principle do not therefore need to be considered here.

Conditions attached to B/21/0499 require (inter alia):

- the approval of a scheme for the disposal of foul and surface water, before development can proceed above ground-level (condition 5); and
- the approval of details regarding the provision of electric vehicle charging points before development can proceed above ground-level (condition 8).

These issues will need to be addressed via separate application(s) to discharge these conditions, and do not need to be considered here.

A further condition requires that the water consumption of the dwelling will not exceed 110 litres per person per day (condition 11). This issue also does not need to be considered here.

The issues to be considered with regard to this application are therefore considered to be:

- impacts upon the character and appearance of the area;
- impacts upon neighbours' amenity;
- highway safety;
- parking;
- biodiversity and ecology; and
- measures to reduce pollution and promote renewable and low carbon energy

Character and appearance of the area

Policy 2 of the Local Plan states that proposals requiring planning permission for development will be permitted provided that sustainable development considerations are met. These include size, scale, layout, density and impact on the amenity, trees, character and appearance of the area and the relationship to existing development and land uses as well as the quality of its design and its orientation. Policy 3 states that all development proposals should create a sense of place by: respecting the density, scale, visual enclosure, landmarks, views, massing of neighbouring buildings and the surrounding area.

Condition 4 attached to B/21/0499 requires the reserved matters application to relate to one dwelling within the confines of the site as shown on Drawings 201 - Location Plan and 202 – Outline Site Plan as Proposed.

The application site is located within the countryside with the majority of surrounding land in agricultural use. However, the area around Bar Bridge contains a loose group of dwellings and other buildings, and planning permission (B/21/0188 and B/22/0463) is outstanding for the construction of a further dwelling immediately to the site's east. The existing and planned dwellings do not have a unified character, i.e. they vary in size, age, design, plot size, materials and the degree to which they are set back from the highway edge.

The dwelling and garage now proposed will be similar in scale to Dial House (to the west) and the dwelling permitted to the east and will be set back a similar distance from the highway edge. The proposed buildings are of a traditional design and appear to be intended to be built in a traditional palette of materials (although materials are not specified in detail, and will need to be conditioned). It is considered that the proposed buildings will have sufficient architectural interest to contribute positively to the area's character. The proposal is for a single dwelling as required by condition 4 attached to the outline permission (although it incorporates a self-contained annexe) and will be set within a plot of a size that will not appear out-of-place in the existing context.

Drawing 22/049/101 Rev B shows that the existing boundary fences will be supplemented by the planting of a new hedge made up of a mix of specified native species, behind which a flowering lawn and wildflower meadow will be created. It is considered that these

planting/landscaping proposals will be in keeping with the area's established character, and their implementation is ensured by condition 9 attached to B/21/0499.

In all, it is considered that the proposals will be in keeping with the character of their surroundings, will not harm the character or appearance of the area, and meet these requirements of Policies 2 and 3 of the Local Plan, and conditions 4 and 9 attached to B/21/0499.

Neighbours' amenity

Policies 2, 3 and 30 of the Local Plan seek to ensure that new development does not significantly impact on neighbouring land uses by reason of noise, odour, disturbance or visual intrusion.

The application site has agricultural fields/paddocks immediately to its south and to its north (on the opposite side of the highway), and it is considered that the proposal will have no harmful impacts upon these neighbouring land users. However, there is an existing dwelling (Dial House) to its west and planning permission is outstanding for the construction of a dwelling to its east (under references B/21/0188 and B/22/0463), and potential impacts upon these neighbours require more detailed consideration.

The proposed dwelling will be located approximately 12m from Dial House. Given that the dwelling will stand 7.8m-high at ridge-level, it is considered that this separation distance is adequate to ensure that Dial House will suffer no unacceptably severe impacts in terms of overshadowing, loss of light or harm to outlook. The proposed dwelling's western elevation will contain just one window and, given:

- that this window will be at ground-floor level;
- the separation distances involved; and
- that views from the window would be largely obscured by proposed boundary treatments,

it is considered that there will be no unacceptably adverse impacts upon Dial House in terms of overlooking or loss of privacy.

The proposed dwelling will be located approximately 15m from the dwelling approved to its east, and the garage approximately 9m. Given the heights of the proposed house and garage, it is considered that these separation distances will be sufficient to ensure that no unacceptably severe impacts will be caused in terms of overshadowing, loss of light or harm to outlook. The proposed dwelling will have windows at both ground and first-floor levels in its eastern elevation, but it is considered that separation distances will be adequate to ensure that there will be no unacceptable adverse impacts in terms of overlooking or loss of privacy. The proposed garage will be closer, but will have ground-floor windows only in its eastern elevation – views from which will be largely obscured by proposed boundary treatments.

In all, it is considered that the proposals will not cause unacceptable harm to neighbours' amenity, and will meet these requirements of Policies 2, 3 and 30 of the Local Plan.

Highway safety

Policy 2 of the Local Plan identifies vehicular access as a sustainable development consideration.

Condition 6 attached to the outline permission (B/21/0499) requires this reserved matters application to show details of arrangements to enable a motor vehicle to turn within the site so that it can enter and leave the highway in a forward gear.

Vehicular access is proposed to be provided to the site roughly at the centre of its northern boundary. At this point, Timms Drove is subject to the national speed limit, but visibility in both directions appear adequate, and the Highway Authority raises no concerns in relation to access arrangements.

Within the site, the access leads to a parking/manoeuvring area to the north of the dwelling and west of the garage, which will be large enough to allow vehicles to enter and leave the site in a forward gear.

In all, it is considered that the proposals will not prejudice highway safety, and meet these requirements of Policy 2 of the Local Plan and condition 6 attached to B/21/0499.

Parking provision

Policy 36 of the Local Plan indicates that all new developments should provide vehicle and cycle parking in accordance with minimum standards set out in Appendix 6, and the Appendix identifies that 3 car parking spaces and 1 cycle parking space are required to be provided within the curtilage of a dwelling with 4 or more bedrooms.

Condition 7 attached to the outline permission (B/21/0499) requires this reserved matters application to show details of car and cycle parking arrangements for the dwelling.

Drawings 22/049/101 rev B and 22-049 G rev A show parking space to the north of the dwelling and a double garage (with sufficient space to also accommodate a bicycle) to its north-east. It is considered that this provision will meet the required standards.

In all, it is considered that the proposals include acceptable provision for the parking of vehicles and cycles, and that they therefore meet these requirements of Policy 36 and condition 7 attached to B/21/0499.

Biodiversity

Policy 3 of the Local Plan requires the incorporation of existing hedgerows and trees into development proposals, and the provision of appropriate new landscaping to enhance biodiversity. Policy 28 requires all development proposals to provide an overall gain in biodiversity. Policy 31 requires all development proposals to incorporate measures which promote and enhance green infrastructure and provide a net gain in biodiversity.

Condition 9 attached to B/21/0499 requires this reserved matters application to show details of specified ecological improvements.

A representation has been received asking that 2 to 4 swift bricks should be incorporated into the proposed dwelling.

Drawing Number 22/049/101 rev B shows:

- the installation of bat boxes onto the dwelling in two locations;
- the installation of a house-sparrow terrace onto the dwelling in one location;
- the installation of swift bricks onto the dwelling in two locations;

- the installation of a starling nesting box onto the dwelling in one location;
- the planting of wild cherry trees in the rear garden;
- the planting of new hedgerows made up of a mix of species on the site's boundaries;
- the establishment of flower beds in four locations within the plot;
- the creation of a wild flower meadow to the north and east of the garage; and
- the creation of flowering lawns.

This (together with accompanying documents 'specification notes – Landscaping Scheme and Management Plan' and 'specification for Built-in Swift, House Sparrow, starling + Bat Box') identifies in detail the boxes/bricks to be used and the species to be planted, planting methodologies, and a timetable for implementation.

The implementation and retention of the above features will be ensured by condition 9 attached to the outline permission (B/21/0499).

It is considered that the above provisions: will ensure a net gain in biodiversity; meet the requirements of condition 9 attached to B/21/0499; and meet the requirements of Policies 3, 28 and 31 of the Local Plan.

Measures to reduce pollution and promote renewable and low carbon energy

Policy 30 of the Local Plan indicates that development proposals will not be permitted where they will lead to unacceptable adverse pollution impacts. Policy 31 requires all development proposals to demonstrate that climate change has been addressed, minimised and mitigated.

Condition 10 attached to B/21/0499 requires this reserved matters application to show details of measures to reduce pollution and resource use and promote the use of renewable and low carbon energy.

The submitted drawings show:

- solar panels on the dwelling's rear roof slope; and
- a rainwater harvesting tank.

Accompanying information ('specification for a rainwater harvesting and storage system' and 'specification for a solar PV array') provides further detail on these proposals.

It is considered that the above provisions: will help to reduce pollution and promote renewable and low carbon energy; meet the requirements of condition 10 attached to B/21/0499; and meet the requirements of Policies 30 and 31 of the Local Plan.

CONCLUSION:

It is considered that the proposal:

- will not harm the character or appearance of the area;
- will not cause unacceptable harm to neighbours' amenity;
- will not prejudice highway safety;
- includes acceptable provision for the parking of vehicles and cycles;
- will ensure a net gain in biodiversity;
- will help to reduce pollution and promote renewable and low carbon energy;
- meets the requirements of the relevant conditions attached to B/21/0499; and

- meets the requirements of the relevant Policies of the South East Lincolnshire Local Plan 2019.

It is therefore considered appropriate for reserved matters to be approved

RECOMMENDATION: Approve with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?		Agreed with applicant/agent - Date:	
1	<p>The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and documents referenced:</p> <ul style="list-style-type: none"> • Drawing Number 22/049/100 – Location Plan; • Drawing Number 22/049/101 Rev B – Proposed Block, Ecological Enhancement and Landscaping Plan; • Drawing Number 22-049 01 Rev D – Plans & Elevations; • Drawing Number 22-049 G Rev A – Garage Plans & Elevations; • specification for a rainwater harvesting and storage system; • specification for Built-in Swift, House Sparrow, starling + Bat Box; • specification notes – Landscaping Scheme and Management Plan; and • specification for a solar PV array. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, and to comply with Policies 2, 3, 28, 30, 31 and 36 of the South East Lincolnshire Local Plan 2019.</p>		
2	<p>Prior to development proceeding above ground level, a schedule of external materials and hard surfaced areas shall be submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the materials so approved.</p> <p>Reason: In the interests of the appearance and character of the development and the visual amenity of the area, and in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.</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>
<p>This decision notice should be read in conjunction with outline permission B/21/0499 and any conditions contained within that permission.</p>

You are reminded that conditions attached to B/21/0499 require (inter alia):

- the approval of a scheme for the disposal of foul and surface water (condition 5);
- the approval of details regarding the provision of electric vehicle charging points (condition 8).

The discharge of these conditions will be required before development can proceed above ground level.

You are also reminded that you must comply with the requirements of condition 11 (water consumption).

Lincolnshire County Council indicates that:

- The permitted development requires the formation of a new/amended vehicular access. These works will require approval from the Highway Authority in accordance with Section 184 of the Highways Act. Any traffic management required to undertake works within the highway will be subject to agreement. The access must be constructed in accordance with a current specification issued by the Highway Authority. Any requirement to relocate existing apparatus, underground services, or street furniture because of the installation of an access will be the responsibility, and cost, of the applicant and must be agreed prior to a vehicle access application. The application form, costs and guidance documentation can be found on our website, accessible via the following link: <https://www.lincolnshire.gov.uk/licences-permits/apply-dropped-kerb>.
- Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782070 to discuss any proposed statutory utility connections, Section 50 licences and any other works which will be required within the public highway in association with the development permitted under this Consent. This will enable Lincolnshire County Council to assist in the coordination and timings of these works. For further guidance please visit our website via the following link: Traffic Management - <https://www.lincolnshire.gov.uk/traffic-management>