

Development Management Delegated Decision Report

B/24/0091



SUMMARY OF APPLICATION				
Application Reference	B/24/0091			
Application Type	Full Planning Permission			
Proposal	Proposed Detached garage forward of the principle elevation of Amber Hill House			
Location	Amber Hill House Sutterton Drove, Amber Hill, Boston PE20 3RQ			
Applicant	Mr & Mrs Gadd			
Agent	Lee Chapman, LPC Architectural Design			
Received Date:	04-Mar-2024	Consultation / Publicity Expiry Date:	05-Apr-2024	
Valid Date:	04-Mar-2024	Statutory Expiry Date:	29-Apr-2024	
Date of Site Visit:	09-Apr-2024	Extension of Time Date:	-----	
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:	9 th April 2024			

OFFICER REPORT

SITE AND SURROUNDINGS:

The application site is located on the eastern side of Sutterton Drove, and contains a detached two-storey dwelling, a domestic curtilage, and a vehicular access. It is located within a predominately residential neighbourhood, with existing dwellings to its north and west (on the opposite side of the highway), but agricultural land to its east and an area of disused land to its south.

DETAILS OF PROPOSAL:

It is proposed to erect a detached garage towards the site's south-western corner. The garage will measure approximately 7.5m x 7.5m in plan and will stand approximately 4.4m-high at ridge level. It will have walls finished in timber-cladding and a tiled roof (to match



the materials used in an extension to the dwelling). Windows and doors (in three elevations) will be coloured anthracite.

Full details are set out in:

- Drg. No. LPC-287-01 Revision A: Existing Site Plans; and
- Drg. No. LPC-287-02 Revision A: Proposed Garage.

The application is also accompanied by a Flood Risk Assessment.

RELEVANT HISTORY:

- B/19/0316 – Full planning permission was granted on 25th September 2019 for erection of a single-storey extension to the existing outrigger including the installation of a replacement flat roof, new folding door, and attachment of timber cladding and render to the exterior.
- B/19/0407 – Full planning permission was granted on 20th November 2019 for single-storey rear extension.

RELEVANT DEVELOPMENT PLAN POLICIES AND DOCUMENTS:

The **South East Lincolnshire Local Plan 2019** shows the application site as being within Amber Hill's Settlement Boundary. 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 4 - Approach to Flood Risk; and
- Policy 30 - Pollution.

OTHER RELEVANT DOCUMENTS / LEGISLATION / GUIDANCE:

At the heart of the **National Planning Policy Framework 2023** 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 12 – Achieving well-designed and beautiful places; and
- Section 14 – Meeting the challenge of climate change, flooding and coastal change.

CONSULTATION RESPONSES:

Lincolnshire County Council (the Highway and Lead Local Flood Authority) concludes that *“the proposed development would not be expected to have an unacceptable impact upon highway safety or a severe residual cumulative impact upon the local highway network or increase surface water flood risk and therefore does not wish to object to this planning application.”*

Amber Hill Parish Council indicates that it has no comments.

THIRD PARTY REPRESENTATIONS RECEIVED:

No third-party representations have been received.

EVALUATION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that determination must be made in accordance with the 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; and
- Flood risk.

Principle

Policy 1 of the Local Plan identifies Amber Hill as an 'Other Service Centre and Settlement' and 'Area of development restraint'. The Policy indicates that: within the Settlement Boundary, development will be permitted that supports its role as a service centre for the settlement itself, helps sustain existing facilities or helps meet the service needs of other local communities; and development will normally be limited to committed sites and infill.

It is considered that the erection of a garage within the curtilage of an existing dwelling meets these requirements of Policy 1.

Character and appearance

Policy 2 of the Local Plan 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 garage is proposed to be located significantly in front of the principal elevation of the dwelling, and it will therefore be a relatively prominent feature in the street-scene. However, it:

- will be set back approximately 9m from the edge of highway;
- is relatively modest in scale;
- is simple and unobtrusive in its design;
- is proposed to be built in materials matching those used in an existing rear/side extension to the dwelling; and
- will be partially screened from view by the mixed species hedgerow which marks the property's front boundary,

and will not therefore appear alien or out-of-place.

The garage's construction will require the removal of one existing tree (a semi-mature conifer). However, this tree has relatively little public amenity value given its modest size and the presence of several other trees within and adjacent to the application site. In these circumstances, it is considered that the loss of the tree will not materially harm the character or appearance of the area.

The garage will be located within approximately 6m of a larger tree (a lime) which is growing immediately behind the hedge which defines the property's boundary onto the highway. This tree has significantly greater public amenity value, and its loss would have some harmful impacts upon the area's character and appearance. However, the proposals show the tree's retention, and it is considered likely that the tree will not be harmed by the construction phase, and will be able to co-exist with the garage in the longer term.

In all, it is considered that the proposed garage: will not have unacceptably severe harmful impacts upon the character and appearance of the area; and meets these requirements of Policies 2 and 3.

Impacts upon neighbours' amenity

Policies 2, 3 and 30 of the Local Plan require the amenity of neighbouring land users to be protected.

The application site has agricultural land to its east and an area of disused land to its south, and it is considered that the proposed garage will have no harmful impacts upon these land users.

There are existing dwellings to the site's north and west (on the opposite side of the highway), but the proposed garage will approach no closer to them than approximately 30m. At these distances and given the garage's modest scale, it is considered that no unacceptably severe impacts will be suffered in terms of overlooking, loss of privacy, outlook, overshadowing or loss of light.

In all, it is considered that the proposed garage will not have harmful impacts upon neighbours' amenity, and that it therefore meets these requirements of Policies 2, 3 and 30.

Flood risk

Policy 4 of the Local Plan 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 (FRA) which identifies that:

- the site is located within Flood Zone 3;
- there are no local, site-specific risks that would adversely affect the site's flood risk categorisation;
- the garage's floor-level will be set approximately 100/150mm above surrounding ground-levels;
- the proposed development is not considered to increase off-site flood risk; and
- surface water will be piped into the existing main drainage system or existing/new soakaway within the application site.

The Lead Local Flood Authority has indicated that "*the proposed development would not be expected to ... increase surface water flood risk.*"

Although the site is located within Flood Zone 3, it is exposed to flood hazard of 'no hazard' and flood depth of 'no depth'. Given the nature of the proposed development, it is considered that a sequential test is not required – i.e. there is a specific need for the development in this location. Given the nature of the proposed development and the flood risk classifications quoted above, it is also considered unnecessary for the attachment of a condition to require the implementation of any flood mitigation measures.

In all, it is considered that the proposal will not be exposed to unacceptable flood risk, or increase flood risk elsewhere.

CONCLUSION:

The above assessment identifies that the proposed development:

- will not cause unacceptably severe harm to the character or appearance of its surroundings;
- will not cause unacceptably severe harm to neighbours' amenity;
- is acceptable in terms of flood risk; and

Therefore the proposal meets the requirements of the Policies 1, 2, 3, 4, and 30 of the South East Lincolnshire Local Plan 2019. In these circumstances, it is considered appropriate for planning permission to be granted.

RECOMMENDATION: Approve with Conditions

CONDITIONS / REASONS			
Pre-commencement conditions?		No	Agreed with applicant/agent - Date: N/A
1	<p>The development hereby permitted shall be begun before 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>The development hereby permitted shall be carried out in strict accordance with the application received on the 4th March 2024 and in accordance with the associated plans referenced:</p> <ul style="list-style-type: none"> • Drg. No. LPC-287-01 Revision A: Existing Site Plans; and • Drg. No. LPC-287-02 Revision A: Proposed Garage. <p>Reason: To ensure that the development is undertaken in accordance with the approved details, in the interest of residential amenity, and to comply with Policies 1, 2, 3 and 30 of the South East Lincolnshire Local Plan 2019.</p>		
3	<p>The development hereby permitted shall remain incidental to the use of the dwelling house known as 'Amber Hill House' and shall not form a separate dwelling.</p> <p>Reason: In the interests of amenity and quality of accommodation in accordance with Policy 1 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 2023 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.</p>