

BOSTON BOROUGH COUNCIL

Planning Committee – 28th July 2020

Reference No: B/19/0473

Expiry Date: 24-Jan-2020

Extension of Time: 31-Jul-2020

Application Type: Full Planning Permission

Proposal: Erection of a one and a half storey building comprising ground floor retail unit (use class A1) and a first floor 1-bed apartment, together with revised access and parking arrangements

Site: 2, Eastwood Road, Fishtoft, Boston, PE21 0PH

Applicant: Mr Erhan Akyuz

Agent: Mr Neil Dowlman, Neil Dowlman Architecture Ltd

Ward: Fishtoft

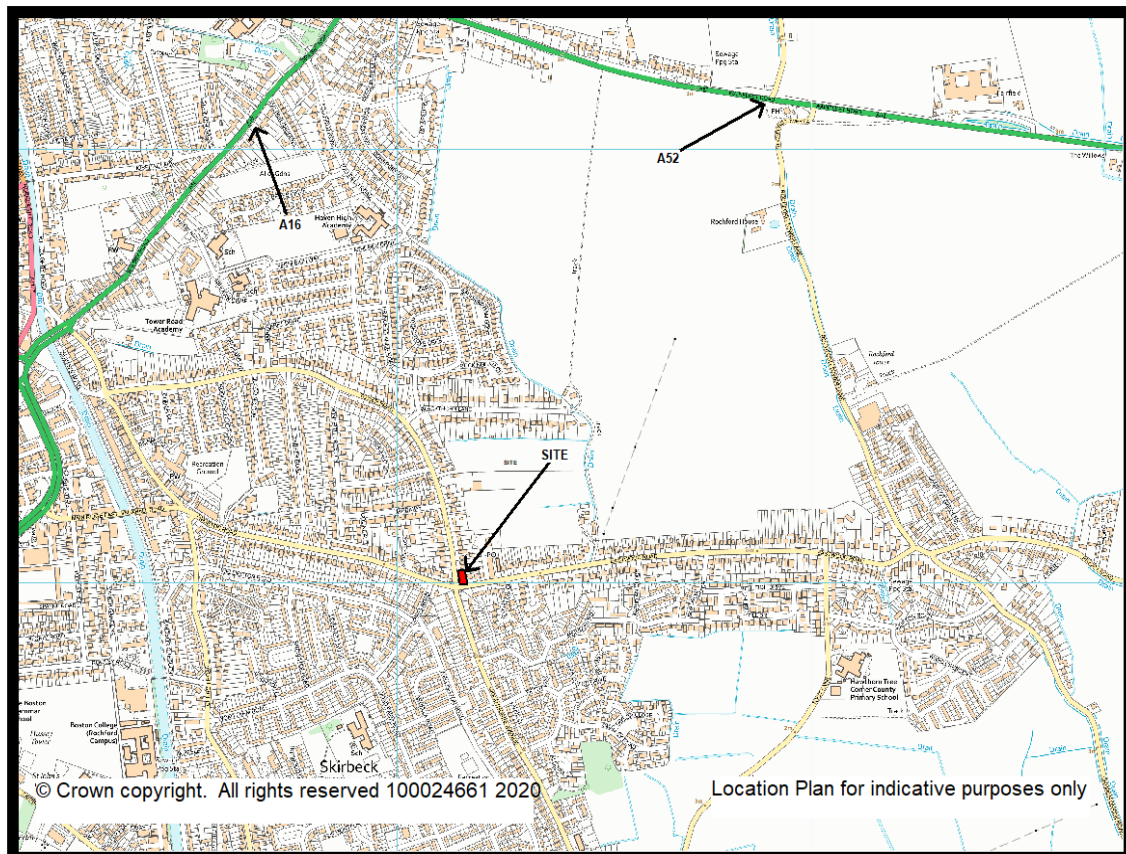
Parish: Fishtoft Parish Council

Case Officer: Simon Eldred

Third Party Reps: None

Link to application: [B/19/0473](#)

Recommendation: GRANT PLANNING PERMISSION subject to conditions



1.0 Reason for Report

- 1.1 This item has been called in for consideration by the Planning Committee by Councillor J. Skinner, who is concerned that the parking provision proposed as part of the development is inadequate.

2.0 Application Site and Proposal

- 2.1 The application site occupies the north-eastern quadrant of land at the crossroads of Woodthorpe Avenue, Lindis Road, Eastwood Road and Freiston Road. It contains a two-storey red brick building with a pitched tiled roof, with attached, flat-roofed, single-storey elements to the south and to the north, and a small yard enclosed by a 2.5m high brick wall. The ground floor of the buildings is in use as a shop, and the first floor as a flat (with a living room, one bedroom, a bathroom, a kitchen and a hallway).
- 2.2 The boundaries of the application site onto Lindis Road and Eastwood Road are not enclosed, and the majority of the site itself is open and undeveloped – most is gravel-surfaced, but southern parts are tarmaced. The western elevation of the building displays signs inviting customer car parking - spaces are not lined out, but it is estimated that there is sufficient space for 7 cars to be parked in this location. Further opportunities for parking are potentially available to the north of the buildings, with a dropped-kerb providing access.
- 2.3 The site is located in a predominantly residential area, with existing dwellings to all sides. However, a number of commercial activities are concentrated approximately 75m to the east – these are: a COOP foodstore and petrol filling station; a One Stop general store and Post Office; a pet shop; a tanning salon; and a hairdressing salon. The SELLP shows the site as being within Boston's Settlement Boundary, but no specific allocations or designations apply. A cycle route is shown on Lindis Road.
- 2.4 The crossroads at which the application site is located is often busy, with vehicles waiting to turn or to cross, and there are double yellow lines on Eastwood Road and extending into Lindis Road to restrict on-street parking and ensure free-flowing vehicle movements. In addition, the area is heavily used by pedestrians to access the existing facilities or those nearby, and there is a zebra crossing over Eastwood Road in close proximity to the site.
- 2.5 The proposals have been revised, and reduced significantly from the original submission. It is proposed to erect a one and a half storey building to the north of the existing buildings. The building's front (western) elevation would be 9.46m in width, its rear (eastern) elevation 8.89m, and its side elevations would be 8.64m. It will stand 3.6m-high at eaves level and 6.35m-high at the ridge of its hipped-roof. It will be set back approximately 9m from the site's Lindis Road frontage, and would abut the boundaries with the properties to the north (52 Lindis Road) and east (4 Eastwood Road).
- 2.6 It would provide a retail unit (91.7m² gross floor area) at ground floor level and a flat at first floor level/within the roof space (with a living room, one bedroom, a kitchen, a bathroom, and a hallway). It would have a shopfront at ground floor level in its western elevation and, at first-floor level would have: two dormer windows looking west (towards Lindis Road); one dormer window and 2 rooflights looking east (towards the rear garden of 4 Eastwood Road); and one rooflight in the southern

roof-slope. The first-floor flat would be accessed via an external steel staircase and partly-glazed door on the building's southern elevation.

- 2.7 Vehicular access will be from Lindis Road (via an existing dropped kerb) and vehicles will exit the site onto Eastwood Road (via an existing dropped kerb) - an existing dropped kerb at the corner of the two roads will be removed. The site will provide a total of 9 car parking spaces (2 to serve the existing and proposed flats, and seven to serve the existing and proposed shops) and a 7.5m x 2.5m bay to accommodate delivery vehicles. Street bollards (0.6m-high) would be erected at 2m centres along the site's boundary.
- 2.8 These proposals are revisions of an initial scheme for the erection of a two-storey side extension and a one-and-a-half storey building on the application site. Those initial proposals were considered to have unacceptable impacts upon the character and appearance of the area and to make inadequate provision for the parking of vehicles. The revised proposals have been fully re-advertised and are the scheme presently for determination.

3.0 Relevant History

- 3.1 In 2001, full planning permission (B/01/0053) was granted for a single storey extension to the shop.

4.0 Relevant Policy

- 4.1 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.

South East Lincolnshire Local Plan 2011-2036.

The following policies are considered to be the most relevant to this proposal:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk;
- Policy 24: The Retail Hierarchy;
- Policy 27: Additional Retail Provision;
- Policy 30: Pollution;
- Policy 31: Climate Change and Renewable and Low Carbon Energy; and
- Policy 36: Vehicle and Cycle Parking.

National Planning Policy Framework

- Section 2: Achieving Sustainable Development
- Section 4: Decision-making;
- Section 5: Delivering a sufficient supply of homes;
- Section 6: Building a strong, competitive economy;
- 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

5.0 Representations

5.1 No representations were received.

6.0 Consultations

- 6.1 Lincolnshire County (as Local Highway Authority and Lead Local Flood Authority) concludes that the proposed development is acceptable and does not wish to object. However, it asks that:
- two conditions should be attached to any planning permission – these conditions require: the closure of an existing access within seven days of the new access being brought into use; and the reduction in height of an existing boundary treatment; and
 - two highway informatives should be included with the decision notice – the informatives remind the applicant that the Highway Authority's approval will be required for the formation of a new/amended vehicular access.
- 6.2 Boston Borough Council's Environmental Health Department indicates that a second retail unit at this site may generate increased activity and noise, and that the hours that the retail unit operates may need to be restricted to reduce impacts on residential amenity. They indicate that the proposals should not have a significant impact on air quality within the area, but request that:
- electric vehicle recharging points should be provided within the development to mitigate any harm caused by increased numbers of vehicles using the site; and
 - any gas fired boilers installed should meet a minimum standard of 40mg NOx/KWh, as recommended by the East Midlands Air Quality Network's document 'Guidance for Developers'.
- 6.3 The Environment Agency indicates that the proposed development will meet the requirements of the National Planning Policy Framework provided the measures detailed in the Flood Risk Assessment submitted with the application are implemented. They ask that these measures should be secured by means of the a condition as recommended later in this report.
- 6.4 Fishtoft Parish Council asks that a pedestrian road crossing should be installed to alleviate safety concerns.
- 6.5 The Witham Fourth District Internal Drainage Board asks to be reconsulted if any change is proposed to the surface water or treated water disposal arrangements stated in the application.

7.0 Planning Issues and Discussions

- 7.1 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 regards to this application are:

- Principle of Development
- Impacts upon highway safety
- Whether adequate parking provision is included
- Impacts on the character and appearance of the area
- Impacts upon neighbours' amenities
- Other matters – including impacts upon air quality and water use.

Principle of development

- 7.2 Policy 1 of the Local Plan indicates that within Boston's Settlement Boundary, development will be permitted that supports its role as a Sub-Regional Centre. It is considered that these proposals accord with the provisions of this Policy.
- 7.3 Policy 24 of the Local Plan indicates that *"individual local shops and small neighbourhood clusters of them within a settlement boundary, which meet the day-to-day needs of nearby residents, will be promoted. Wherever possible such new uses should be located in close proximity to each other, unless serving very local catchments e.g. corner shops."* It is considered that these proposals accord with the provisions of this Policy – particularly given that the proposed new retail unit will effectively add to an existing neighbourhood cluster.
- 7.4 Policy 27 of the Local Plan indicates that "individual local shops, leisure uses and services and small neighbourhood clusters of them which meet the day-to-day needs of nearby residents, without the need to use a car, will be protected. Proposed new shops in such circumstances will be limited to a maximum 100sqm (net) floor space". Given that the new retail unit has a gross internal floor space of 91.7m² it is considered that these proposals accord with the provisions of this Policy.
- 7.5 In general terms, it is considered that the provision of additional residential development and proposals which would support the economy are welcomed and would be acceptable on this previously-developed site. However, this is subject to the development being compliant with other policy objectives.

Highway safety

- 7.6 Policy 2 of the Local Plan identifies access and vehicle generation levels as a sustainable development consideration. A consultee (Fishtoft Parish Council) has concerns that the proposed development will compromise safety for pedestrians and that a pedestrian road crossing should be installed although it is not identified where (presumably across Lindis Road).
- 7.7 From site visits and local knowledge it is appreciated that at times the crossroads at which the application site is located can be busy, with vehicles waiting to turn or to cross. There are associated markings on the road to restrict parking to ensure the free-flow of vehicle movements. In addition, the area is well used by pedestrians to access the existing facilities on the application site and those nearby, and there is a formal pedestrian crossing across Eastwood Road in close proximity to the site. It must also be recognised that there is an existing shop and residential property on the site which have been there for many years in a variety of guises, and which benefit from existing parking and access facilities.

- 7.8 The proposed building will be located at the northern end of the site, and will in no way curtail visibility at the junction. The proposals involve the creation of a one-way system within the site, with vehicles entering from Lindis Road, and exiting onto Eastwood Road – arrangements which are acceptable to the Highway Authority. The report entitled Vehicle Parking Requirements (April 2020) which accompanies the application forecasts that the proposals will generate 51 additional car journeys per day, and the Highway Authority raises no concerns about adverse impacts upon road safety.
- 7.9 The scale of the proposals (91.7m² of additional retail space) is modest, and the report entitled Vehicle Parking Requirements (April 2020) forecasts that 135 additional pedestrian movements will be generated per day. It is considered that is a modest increase in pedestrian numbers, if considered in the context of the number that will be generated by the far larger retail facilities approximately 75m to the east. Furthermore, the Highway Authority has not identified any concerns about impacts on pedestrian safety and, in all, it is considered that (notwithstanding the Parish Council's comment) the provision of an additional pedestrian crossing is unnecessary and could not be justified in planning terms.
- 7.10 In general terms, it is considered that the site can be safely accessed and that the proposals are unlikely to increase traffic generation to an unacceptable degree. It is also noted that the Highway Authority does not raise an objection relating to highway safety. In all, therefore, it is considered that the proposals will not have an adverse impact upon highway safety and that they meet the requirements of Policy 2.
- 7.11 The Highway Authority asks for two conditions to be applied to any planning permission and for two informatives to be added to the decision notice. The suggested conditions require:
- the closure of the existing access at the junction of Lindis Road and Eastwood Road within seven days of the new access arrangements being brought into use. It is considered that the effect of this suggested condition can be achieved by means of a condition to require: the final agreement of boundary treatments; and that boundary treatments will be retained only in accordance with the agreed details; and
 - the reduction of any boundary treatments in the vicinity of the exit onto Eastwood Road to no more than 0.6m in height. Given that all existing boundary treatments have been removed (and the proposed bollards will stand 0.6m in height), it is not considered necessary for this condition to be applied. In addition, it is also important to note that the Highway Authority seeks the reduction in height of boundaries for 43m in each direction, which would include land outside the application site. Such a condition would be unenforceable. As such, this second condition is not recommended.
- It is, however, considered prudent to impose a condition to require the agreement of signage and/or markings to delineate the proposed one-way in-and-out arrangements for the site – given that such arrangements will be vital to the successful operation of the proposed development (Condition 4).
- 7.12 The suggested informatives remind the applicant that the Highway Authority's approval will be required for the formation of a new/amended vehicular access. It is considered that they should both be added to the decision notice.

Whether sufficient parking provision is proposed

- 7.13 Policy 36 of the Local Plan indicates that all new development should provide vehicle and cycle parking in accordance with the minimum parking standards set out in Appendix 6. At present, the site accommodates a one-bed flat and a shop (convenience retail) with a gross internal floor space of 102m², and the site provides an estimated 7 car parking spaces adjacent to the shop's western elevation and significant further opportunities to the north of the buildings – this is a historic arrangement which in general terms is understood to have been sufficient to serve the former and current use of the site. Such provision is largely in line with the minimum requirements of Policy 36 and Appendix 6 of the Local Plan (7 car parking spaces and 1 cycle stand for the retail floor space, and 2 car parking spaces and 1 cycle space for the flat).
- 7.14 The proposal will result in the site providing a total of two shops and two flats, for which Policy 36 and Appendix 6 of the Local Plan would require the provision of at least 18 car parking spaces and 2 cycle parking spaces – as per the table below.

Proposal	Minimum car parking provision	Minimum cycle parking provision
1 bed flat	2 spaces	1 space
1 bed flat	2 spaces	1 space
102m ² convenience retail	7 spaces	0 stand
91.7m ² convenience retail	7 spaces	0 stand
TOTAL	18 spaces	2 spaces

- 7.15 However, the proposal provides a total of 9 car parking spaces (2 to serve the existing and proposed flats, and seven to serve the existing and proposed shops) and no dedicated cycle parking spaces. This represents a significant shortfall against the Local Plan's minimum requirements – effectively half of the requirement. It must however be remembered that the supporting text to policy 36 does indicate that lower levels of provision may be acceptable, where appropriate justification is presented.
- 7.16 The application is accompanied by a report entitled Vehicle Parking Requirements (April 2020) which argues that the application site is in a sustainable location which will attract significant numbers of journeys by means other than the private car – it forecasts that the proposals will generate per day an additional 51 car journeys, 135 pedestrian journeys, 5 cycle journeys, and 16 journeys by public transport. The application also makes reference to the accessibility of the site on foot, cycle and by bus.
- 7.17 In addition to the provisions of policy 36, due regard should be given to paragraph 105 of the NPPF states that *“local parking standards ... should take into account: the accessibility of the development, the type, mix and use of development; the availability of and opportunities for public transport ...”* Officers accept that the site is accessible by bus and that many visits will also be made on foot or by bicycle (given that the site is in a sustainable location and that a designated cycle route passes the site), and it is noted that the Highway Authority has expressed no unease concerning parking provision. Consequently, it is not considered that the

scale of the off-street parking shortfall is a cause for concern, and it is not expected that the proposals will generate on-street parking at a level that would be detrimental to highway safety or the amenities of the occupants of nearby residential properties. In addition, due regard is also given to the positive impacts arising from the efficient use of previously-developed land to provide for a modest shop unit and additional housing unit, both of which would make modest, yet positive contributions to the Borough. Nonetheless, it is considered necessary to impose a condition to require the submission and approval of a detailed scheme for the provision of the 9 parking spaces indicated (Condition 5), this is to ensure that the spaces are provided appropriately and retained thereafter.

- 7.18 In all, although the proposals do not meet the full requirements of Policy 36 and Appendix 6 of the Local Plan, it is not considered that harmful impacts are likely to be caused.

Impact on the character of the area

- 7.19 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 of the Local Plan indicates that design which is inappropriate to the local area or fails to maximize opportunities for improving the character or quality of the area will not be acceptable.
- 7.20 The proposed building will be set back a similar distance from the edge of Lindis Road as the dwellings to its north, and a significant amount of undeveloped space will remain within the application site. The building's design and scale will be compatible with the established character of the area. The drawings show the detailed design of the proposed shopfront, and indicate that it will be constructed in timber and will be painted black – the proposed design is traditional, and it is considered that it will appear in character with the street scene. Street bollards as proposed will satisfactorily preserve the crossroad's existing open character.
- 7.21 However, the drawings do not specify all the materials that will be used in the building's construction; provide full details of proposed boundary treatments; and provide any details concerning the storage of refuse bins, which are all matters of importance in terms of the development's impacts upon the area's character and appearance. It is therefore considered appropriate for conditions to be applied to require details of the external materials (Condition 6), boundary treatments (Condition 3), and refuse storage facilities (Condition 7) to be submitted for approval, to ensure that they will be in keeping with the area's character.
- 7.22 Subject to the above conditions, it is considered that the proposal will not have any harmful impacts upon the area's character or appearance, and will therefore meet these requirements of Policies 2 and 3.

Impact on the amenities of neighbouring uses

- 7.23 Policies 2 and 3 of the Local Plan require neighbours' amenities to be protected.
- 7.24 The proposed building will be constructed at the boundary (defined by a 2m high close-boarded fence) with the bungalow to its north (52 Lindis Road) and within 3m of the dwelling itself, which has a window and a glazed-door in its southern elevation. Given that the proposed building is relatively modest in scale (3.6m high at eaves level and 6.35m high at the ridge of its hipped-roof), it is considered that

its impacts on 52 Lindis Road in terms of dominance, outlook or loss of light/overshadowing will not be so severe as to be unacceptable. The proposed building will have no windows looking north, and it is therefore considered that it will have no harmful privacy/overlooking impacts upon 52 Lindis Road.

- 7.25 The proposed building will be located at the boundary (defined by a 2m high close-boarded fence) with the property to its east (4 Eastwood Road). It will be adjacent to the dwelling's rear garden, and separated from the garden itself by an outbuilding with an estimated ridge height of 3m which is located immediately to the east of the boundary fence. It is considered that the proposed building's relatively modest scale will mean that it will have no unduly harmful impacts on 4 Eastwood Road in terms of dominance, outlook or loss of light/overshadowing. However, a single dormer window and 2 rooflights will look eastwards, which could potentially overlook the garden with harmful impacts upon privacy. It is considered that the rooflights (serving the flat's bathroom and kitchen) will not provide views, given that their cills will be approximately 1.8m above floor level. Whilst the indicated layout of the flat would preclude harmful views from the dormer window (because the occupants of the proposed flat would be unable to approach close to the window thanks to kitchen worktops) such internal arrangements could be altered without the need for planning permission. Consequently, it is considered appropriate for a condition to be applied to require that the eastern-facing dormer window will not open and will be obscure-glazed (Condition 8). Furthermore, a condition to remove permitted development rights relating to new windows in the flat is considered to be necessary (Condition 9).
- 7.26 The proposed building will be set back approximately 9m from the site's Lindis Road frontage and approximately 30m from the dwelling on the opposite side of the highway (212 Freiston Road). At this distance, it is considered that the proposal will have no harmful impacts in terms of dominance, outlook or loss of light/overshadowing, nor (even though two dormer windows and the shopfront will look westwards) in terms of privacy or overlooking.
- 7.27 The proposed building will be located approximately 4.5m from the rear elevation of the existing first-floor flat at 2 Eastwood Road, which has kitchen and bathroom windows looking north. Given the relatively modest scale of the proposed building and the degree of separation from the existing flat, it is not considered that the proposal will have harmful impacts upon the existing flat in terms of dominance, outlook or loss of light/overshadowing. However, the proposed building's southern elevation will contain a partially-glazed door, a landing at the top of the external staircase, and a rooflight. It is considered that the rooflight (serving the flat's kitchen) will not provide views, given that its cill will be approximately 1.8m above floor level. However, the doorway/landing will be located within 5m of the flat's bathroom window and 5.5m of its kitchen window, and it is considered that such separations will be inadequate to prevent unacceptable impacts upon privacy. It is therefore considered necessary to impose a condition to require the erection of an opaque screen of at least 1.8m height along the full width of the landing's southern edge (Condition 10).
- 7.28 The application form indicates that the use of the retail unit will be within Class A1, i.e. that it will be used as a shop. It is considered that A1 use, at this scale, will be compatible with neighbouring residential uses – a view which is shared by the Borough Council's Environmental Health Department. However, the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) would allow the use of the unit to be changed without the need

for a planning application to e.g. become a restaurant or café. Such other uses may not be equally compatible with their surroundings. Consequently, it is considered necessary to impose a condition to remove permitted development rights so that any change of use to another class will require a separate planning application (Condition 11).

- 7.29 Lastly, the amenities of nearby existing residential properties may be affected by the movements of the customers of the proposed shop. Although the application form identifies that the shop unit will be in Class A1 use, it does not suggest opening hours for the shop. It is considered that any potential harmful impacts could be acceptably mitigated by the use of a condition to restrict opening hours (and deliveries/despaches), as suggested by the Borough Council's Environmental Health Department (Condition 12).

Flood Risk

- 7.30 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.
- 7.31 The application is accompanied by a Flood Risk Assessment (which was prepared to support the first iteration of the proposals for the site). It identifies potential sources and likely severity of flooding, and indicates (amongst other measures) that:
- the finished floor level of the shop will be set at 225mm above the existing ground level;
 - flood proofing and flood resilience measures will be incorporated to at least 300mm above predicted highest water level; and
 - a flood kit will be provided.
- 7.32 Subject to the implementation of the measures outlined in the Flood Risk Assessment, it is considered that the proposals meet the requirements of Policy 4. This is a view that is shared by the Environment Agency who have asked for the inclusion of a condition to secure these measures, and it is considered that such a condition should be included (Condition 13).

Other Matters

- 7.33 Impacts upon air quality – Policy 30 of the Local Plan indicates that developments will not be permitted which will have unacceptable adverse impacts on the health and safety of the public or the amenities of the area by way of air quality, including fumes. The Borough Council's Environmental Health Department has requested that electric vehicle recharging points and low emission gas boilers should be provided. However, the Environmental Health Department identifies that the proposal will not have a significant impact on air quality within the area and, in these circumstances, it is considered that the proposals meet Policy 30's requirements even without the mitigation measures sought - i.e. the proposals will not have "unacceptable adverse impacts on the health and safety of the public or the amenities of the area by way of air quality, including fumes". Therefore the request for EV charging facilities and use of specific boilers cannot be justified in this instance.

- 7.34 Water use - Policy 31 of the Local Plan requires, inter alia, residential proposals to protect the quality, quantity and availability of water resources by complying with the Building Regulation water efficiency standard of 110 litres per person per day. It is considered appropriate for a condition to be included to ensure that these requirements are met (Condition 14).

8.0 Summary and Conclusion

- 8.1 The proposal would result in the efficient use of previously-developed land, within the settlement boundary, to provide for an additional shop unit and an additional residential flat. They would therefore make positive contributions to the economy and housing supply in the Borough.
- 8.2 The proposals would be acceptable in relation to highway safety, impact on the character of the area, impact on amenity, flood risk, and other matters.
- 8.3 Whilst it is accepted that the level of parking provision proposed would be below the full requirements of policy 36 and Appendix 6, the level of parking proposed has been justified and in this case, a lower level of parking provision is acceptable.
- 8.4 When taken as a whole, it is considered that the proposals are in accordance with the requirements of the Development Plan, and thus, should be granted permission subject to the conditions as recommended.

9.0 Recommendation

- 9.1 It is recommended that the Committee resolves to GRANT planning permission subject to the following conditions.

CONDITIONS AND INFORMATIVES

1. The development hereby permitted shall be begun before the expiration of four years from the date of this permission.

Reason: Required to be imposed pursuant to Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in strict accordance with the revised application received 09-Apr-2020 and in accordance with the associated plans referenced:

- Drawing Number B/3355 3-001 – Proposed – Elevations and Plans (March 2020);
- Drawing Number: B/3355 3-002 – Proposed – Elevations in context/Section AA (March 2020)

Reason: To ensure the development is undertaken in accordance with the approved details, in the interest of residential amenity and to comply with Policies 2, 3, 4, 27, 30 and 36 of the South East Lincolnshire Local Plan 2011-2036.

3. The development hereby permitted shall not be occupied until details of all boundary treatments, including their height, design, colour and position, have been

submitted to and approved in writing by the Local Planning Authority. The scheme as may be approved shall be constructed before the building hereby permitted is occupied or brought into use, and shall be retained thereafter.

Reason: In the interests of the visual amenities of the area and highway safety in accordance with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.

4. The development hereby permitted shall not be occupied until a plan showing signage and/or markings to delineate the proposed one-way in-and-out arrangements for the site has been submitted to and approved in writing by the Local Planning Authority. The signage and/or markings as may be approved shall be implemented before the building hereby permitted is occupied or brought into use, and shall be retained thereafter.

Reason: In the interests of highway safety, in accordance with Policy 2 of the South East Lincolnshire Local Plan 2011-2036.

5. The development hereby permitted shall not be occupied until a plan showing 9no. parking spaces (labelled to reflect their allocation to the flats and shops) along with sufficient space to allow vehicles to be parked and turned to enable vehicles to enter and exit in forward gear, has been submitted to and agreed in writing by the Local Planning Authority. The parking spaces and turning area shall be provided in accordance with the agreed plan prior to the occupation or first use of any of the units, and shall thereafter be retained and be made available for use by the occupants, staff and customers of the development at all times when those units are available for occupation.

Reason: In the interests of ensuring that sufficient parking is provided to meet the needs of the development, to ensure that those parking spaces are retained and are available and that there is sufficient space to enable vehicles to turn so that they may enter and leave the site in forward gear, and to comply with Policy 36 of the South East Lincolnshire Local Plan 2011-2036.

6. No development shall take place until details of the materials proposed to be used in the construction of the external surfaces of the building have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: 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.

7. The development permitted shall not be occupied until details of secure refuse storage facilities have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details before the building hereby permitted is occupied or brought into use, and shall be retained thereafter.

Reason: To ensure that the development 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.

8. Notwithstanding the details shown on the approved plans, prior to first use of the apartment hereby permitted, the dormer window shown on the east facing elevation

of the building hereby approved shall be obscurely glazed to a minimum of level 3 on the Pilkington Scale (where 1 is the lowest and 5 the greatest level of obscurity) or equivalent scale, and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor level of the room in which the window is installed. The duly installed window shall be retained as such thereafter.

Reason: To ensure that appropriate measures are put in place to limit the potential for overlooking between the development and adjacent properties in order to preserve the privacy of adjoining occupiers in accordance with the requirements of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

9. Notwithstanding the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any equivalent Order following the revocation and re-enactment thereof (with or without modification), no windows other than those expressly authorised by this permission shall be inserted in any of the sides of the building hereby approved.

Reason: To limit the potential for overlooking towards neighbouring dwellings in order to safeguard the privacy of adjoining occupiers in accordance with the requirements of Policies 2 and 3 of the South East Lincolnshire Local Plan (2011-2036).

10. The residential unit hereby permitted shall not be occupied until details of an opaque screen of not less than 1.8m in height from the finished floor level of the landing at the top of the external staircase, shall be submitted to and agreed in writing by the Local Planning Authority. The screen shall run the full width of the southern edge of the landing. The residential unit shall not be occupied until the screen has been constructed in full accordance with the agreed details. The screen shall thereafter be retained at all times when the residential unit is available for use.

Reason: In the interests of the mitigation of any effects on the amenities of the first-floor flat at 2 Eastwood Road, by virtue of overlooking and noise/disturbance, and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2011-2036.

11. The shop premises shall be occupied only by uses within class A1 of the Town and Country Planning (Use Classes) Order 1987 and for no other purpose, including any permitted change of use within the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting either or both of the Orders with or without modification).

Reason: To protect neighbours' amenities and the amenity of the area, and to accord with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.

12. The shop premises shall not be open to the public outside the hours of 07.00 to 22.00 on any day, and no deliveries to (or despatches from) the premises shall take place outside of the aforementioned hours.

Reason: In the interests of regulating noise and disturbance, to protect the amenity of the area, and to accord with Policies 2, 3 and 30 of the South East Lincolnshire Local Plan 2011-2036.

13. The development permitted by this planning permission shall be carried out in accordance with the Flood Risk Assessment (FRA) prepared by Dowlman Architecture, dated August 2019 and the following mitigation measures detailed within the FRA: the FFL to be set at 225mm above ground level; residential accommodation to first floor level only; and flood resilience and resistance measures to be incorporated as stated in the FRA. The mitigation measures shall be fully implemented prior to occupation and subsequently remain in place.

Reason: To reduce the risk of flooding to the proposed development and future occupants, and to accord with the requirements of Policy 4 of the South East Lincolnshire Local Plan 2011-2036.

14. The water consumption of the 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 the dwelling.

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).

Informatives

1. 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. The works should be constructed in accordance with the Authority's specification that is current at the time of construction. Relocation of existing apparatus, underground services or street furniture will be the responsibility of the applicant, prior to application. For approval and specification details, please contact vehiclecrossings@lincolnshire.gov.uk.
2. Please contact the Lincolnshire County Council Streetworks and Permitting Team on 01522 782072 to discuss any proposed statutory utility connections 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.

Mike Gildersleeves
Growth Manager