

BOSTON BOROUGH COUNCIL

Planning Committee - 18 Jul 2023

Reference No: B/23/0112

Expiry Date: 17-May-2023
Extension of Time: 25-Jul-2023

Application Type: Outline Planning Permission
Proposal: Outline Application with all matters reserved (Access, Appearance, Landscaping, Layout and Scale) for the erection of a two-storey domestic dwelling

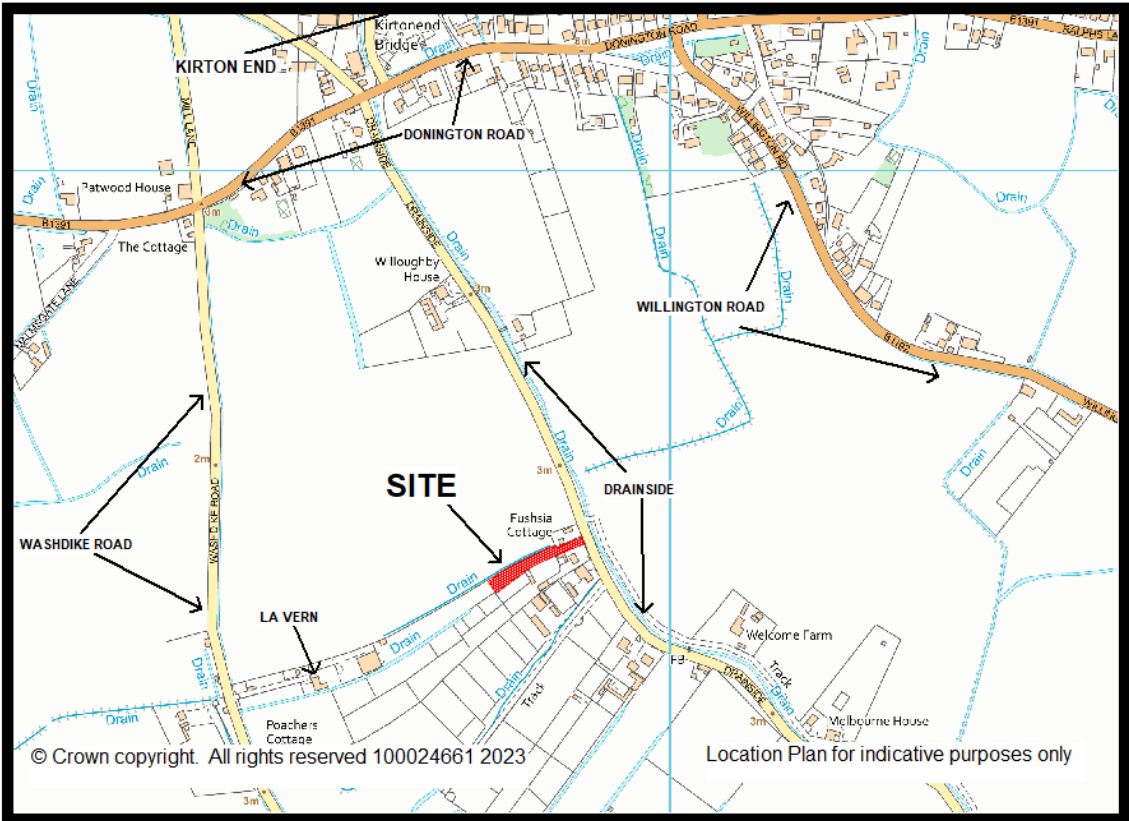
Site: Land at the rear of La Vern, Washdyke Lane, Kirton Meeres, Boston PE20 1PP

Applicant: Mr John Burton
Agent: Mr Lee Wilson, Oakwood BCS Ltd

Ward: Kirton & Frampton Parish: Kirton Parish Council

Case Officer: Simon Eldred Third Party Reps: 1 neighbour

Recommendation: REFUSE



1.0 Reason for Report

1.1 This item has been called in for consideration by the Planning Committee by Councillor Ralph Pryke. The reasons given state that *“having considered all the information sent from the applicants, their agent, the objectors and the Delegated Decision Officer Report, knowledge of how residents in Kirton End and the roads to the south of Donington Road already walk, cycle and drive to local facilities mainly in Kirton village centre, and of other planning applications in the area given permission or still under consideration, I consider the recommendation to refuse to be grossly unfair, and if applied, should prompt an appeal to the Planning Inspectorate. I would ask the Committee to reconsider the reasons given for refusal:*

1. *Numerous other applications have been granted recently outside Settlement Boundaries (B/22/0309 – the old caravan sales site in Kirton End, B/21/0097 – the bungalow development now named Meadow Fields in Kirton End, thought at the time of application to be spec builds, most of which are unoccupied or unsold sometime after completion, B/23/0216 – two dwellings from old agricultural buildings, B/22/0517 – new luxury bungalow even further away from local facilities, still under consideration).*
2. *Almost everyone living outside Boston needs a car to carry out essential tasks, but Reason 1 is not used to refuse planning applications elsewhere. Even living within the Settlement Boundary of Kirton End doesn't help because it is even further away from local facilities in Kirton than the application site.*
3. *Almost no applications in the area to the south of Boston can demonstrate in a Sequential Test that sites at lesser risk of flooding are unavailable because almost the entire area is at risk of flooding, according to the Environment Agency. Nevertheless, very large developments have been allowed in Kirton and Frampton (Woodland Road, Birch Road estate, Philbeech Gardens, Yew Gardens, Bungley Lane, Station Road [unbuilt], Middlegate Road and West End Road). It is difficult to see why Policy 4 of the 2019 Local Plan and s.14 of the NPPF 2021 are so selectively applied.”*

2.0 Application Site and Proposal

2.1 The application site is part of a pasture field, located on the western side of Drainside North, Kirton – a narrow, rural road without footways or street-lighting which is subject to a 60MPH speed limit. The site is located in the countryside, but within a group of three existing dwellings, two of which have extensive curtilages (substantial parts of which are in equestrian use, and contain paddocks, ménages, stable and storage buildings, etc.). The site:

- has an area of approximately 0.17 hectares;
- extends approximately 130m westwards from Drainside North;
- has a width of between approximately 17m (at its western end) and approximately 7m (at its eastern end); and
- has a gated access onto Drainside North.

2.2 The application seeks outline planning permission with all matters reserved for the erection of a dwelling and a garage. The application form identifies that the dwelling will have two bedrooms and two-storeys, and the application is accompanied by:

- a Supporting Planning Statement which describes the application site, its surroundings, and the proposal;
- a Flood Risk Assessment;
- a letter from the Environment Agency setting out flood risk data for the site;
- an e-mail from the agent sent at 09.18 on 11th April 2023, providing additional information; and
- drawings showing:
 - the location of the application site (PL01);
 - the application site as existing (PL02);
 - an indicative layout (PL03); and
 - indicative plans and elevations for a detached 1.5-storey dwelling and single-garage (PL04).

3.0 Relevant History

3.1 The application site has no relevant, recent planning history.

4.0 Relevant Policy

4.1 The **South East Lincolnshire Local Plan 2019** shows the application site as being within the Countryside, approximately 450m from the closest Settlement Boundary (Kirton End). 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;
- 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.

4.2 At the heart of the **National Planning Policy Framework 2021** is a presumption in favour of sustainable development. The following sections are considered to be relevant to this application:

- Chapter 1 – Introduction;
- Chapter 2 - Achieving sustainable development;
- Chapter 4 - Decision-making;
- Chapter 5 - Delivering a sufficient supply of homes;

- Chapter 9 - Promoting sustainable transport;
- Chapter 11 - Making effective use of land;
- Chapter 12 - Achieving well-designed places;
- Chapter 14 - Meeting the challenge of climate change, flooding and coastal change; and
- Chapter 15 - Conserving and enhancing the natural environment.

5.0 Representations

5.1 As a result of publicity, a representation has been received from the occupants of a neighbouring dwelling (**Cherry Tree Farm**) who note that: the proposed dwelling will be located approximately 3m from their boundary and will be oriented with its front elevation towards their property; and the proposed garage will be oriented with its main elevation towards their property. They object to the proposals on the basis that:

- their property will suffer adverse impacts from overlooking, loss of privacy, and the curtailment of views and light;
- the proposed dwelling will be out-of-character both in terms of its location within its plot and the materials proposed;
- noise and disturbance from the proposal will frighten their horses, with safety risks for riders/handlers;
- inadequate space is provided for the manoeuvring of vehicles within the site;
- the application site is generally inadequate in width to satisfactorily accommodate a dwelling;
- construction will involve excavations close to their property with risks of surface water flooding and building subsidence;
- the proposal includes the planting of a hedge containing blackthorn (which is toxic to horses) at the boundary with their horse ménage; and
- will the proposed dwelling be too close to the electric pole on the site's northern boundary?

6.0 Consultations

6.1 Boston Borough Council's Principal **Environmental Health** Officer initially indicated that *"the proposed property will be situated tight up against a neighbouring livery stables and ménage. The property will directly overlook the ménage. As such the amenity of future occupants of the proposed dwelling will be impacted by these equestrian activities albeit to what degree is difficult to quantify. Can the applicant provide any details as to any boundary treatments proposed along the southern boundary of the site to reduce this amenity risk to future occupiers and also protect the existing neighbour's amenity? The plans do not appear to show any boundary details."* Following the receipt of:

- an e-mail from the agent sent at 09.18 on 11th April 2023, reading *"we have been in discussion with our client. They were intending to install a traditional hawthorn & blackthorn hedge along the boundary, but are happy to provide*

whatever boundary treatments the council would deem more appropriate. Also as a hedge may take time to establish, would consider installing a close boarded timber fence if considered appropriate along the Southern boundary in line with the dwelling”; and

- *a revised Proposed Site Layout drawing showing the erection of a 1.8m close-boarded timber fence and the planting of a new hawthorn and blackthorn hedge on the property boundary immediately to the south of the proposed dwelling and garage,*

the Principal Environmental Health Officer indicated that this approach would be acceptable, but asked that a condition should be attached to require the erection of the fence and the planting of the hedge prior to the dwelling’s first occupation, and its maintenance thereafter.

6.2 The **Black Sluice Internal Drainage Board** responded to indicate:

- *“Rainfall Runoff - It is understood that the applicant intends to discharge surface water via soakaways. If this is the case, then any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. Evidence that soakaways are suitable for the site should be submitted to the local planning authority for their approval. Should soakaways prove unsuitable, then the applicant should submit details of an alternative scheme to the local planning authority for consideration, and must have received approval for any such scheme, prior to works commencing on site. Discharge to any watercourse will require prior written consent from the Board.*
- *Disposal of Foul or Dirty Water - Whilst the disposal of foul water has not been indicated at this stage, the applicant should be made aware of the following: The discharge of foul or dirty water direct into a watercourse is strictly prohibited. If the applicant intends to dispose of foul water to a septic tank, then any overflow discharge should be to a soakaway only, which should be designed and proved in accordance with BRE Digest 365 or other approved code. Evidence that soakaways are suitable should be submitted to the local planning authority for their approval. If the foul water from the development is to be discharged via a package or bio-treatment unit, then the applicant has two options:*
 1. *If the final discharge is to a watercourse, then the Boards prior written consent is required. The consent of the Environment Agency may also be required for any discharges above 5 cubic metres per day.*
 2. *If the discharge is to soakaways, then any soakaways or infiltration systems should be designed and proved in accordance with BRE Digest 365 or other approved code. Evidence that soakaways are suitable should be submitted to the local planning authority for their approval.*
- *Filling in or Culverting Watercourses - There are understood to be watercourses bounding or crossing the site. If the applicant or their successors intend to pipe or fill any watercourse, now or at any time in the future, then under Section 23 of the Land Drainage Act 1991 the prior written consent of the Board is required for any proposed permanent or temporary works or structures, including infilling, diversion, or replacement of any existing structures, within any watercourse. This is mandatory. The applicant is reminded that within common law, the ownership*

and maintenance responsibility for any watercourse, and any structures within such as piped access culverts, lies with the adjacent landowners, regardless of whether the watercourse is maintained by the Board. Where a section of watercourse lies wholly within a land or property boundary, or lies alongside a highway, then the land or property owner is considered wholly responsible for the ownership and maintenance of that section of watercourse and any structures within.”

6.3 **Lincolnshire County Council** (the Local Highway and Lead Local Flood Authority) indicates that it has no objections, saying *“the principle of development is acceptable. As this is an outline application with all matters reserved, access and layout have not been considered. Please make the applicant aware of the requirements for access, parking, visibility, turning and layout as detailed within the Lincolnshire County Council Design Approach, in order to support any further application. Additionally, sufficient information will be required to demonstrate that the use of a suitable drainage system for the management of surface water run-off is appropriate for this site to mitigate concerns with flooding of the property and surrounding land.”* It goes on to conclude that the proposed development will not: have an unacceptable impact upon highway safety; have a severe residual cumulative impact upon the local highway network; or increase surface water flood risk.

7.0 **Planning Issues and Discussions**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of an application must be made in accordance with the Plan unless material considerations indicate otherwise. The key considerations in regard to this application are considered to be:

- principle of development;
- impact on the character and appearance of the area;
- impact on neighbours’ amenity;
- highway safety;
- parking provision;
- air quality;
- water use issues;
- biodiversity; and
- flood risk.

Principle

7.2 Firstly, it is important to note that:

- Boston Borough Council’s most recent ‘Assessment of 5-year housing land supply’ (dated 31st March 2022) identifies that 6.0 years’ supply of deliverable housing sites is available; and the Housing Delivery Test 2021 Measurement for Boston Borough identifies that the new housing delivered over the previous 3 years

amounted to 159% of that required. Thus, in accordance with the provisions of Paragraph 11 of the NPPF, the Local Plan's policies can be given full weight in considering this proposal.

- although the application site is located in the countryside, it is situated within an existing group of dwellings. Consequently, it is not considered that the proposal will create an 'isolated home in the countryside' as referred to in paragraph 80 of the NPPF.

7.3 Policy 1 of the Local Plan identifies the Borough's countryside as an area "of development restraint", where development will be permitted that it "is necessary to such a location and/or where it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits". Essentially, the Policy sets out two separate tests, but requires a proposal to satisfy only one of the tests.

7.4 Test 1 - an assessment is required of whether the proposal is 'necessary to its location'. The application site is in a countryside location, located approximately 450m as the crow flies from the edge of Kirton End's built-up area. The Local Plan provides sufficient opportunities for new residential development on Housing Allocations and via windfall developments within Settlement Boundaries in order to meet the Borough's housing requirements until 2036. The application does not set out any particular justification as to why residential development is necessary on this site and, on balance, it is considered that the first test of Policy 1(d) is not passed.

7.5 Test 2 – an assessment is required of whether the proposal meets the sustainable development needs of the area in terms of economic, community or environmental benefits. Looking at these benefits in turn:

- it is accepted that the proposal would make a small contribution to the local **economy** through the construction of the property and through additional residents supporting local facilities/services. However, such benefits could be realised equally well within a town or village;
- it is accepted that the proposal would provide some **community** benefit by creating a home for a family. However, such benefits could be realised equally well within a town or village, where the occupants would have better access to services and facilities; and
- although the Supporting Planning Statement indicates that "there is an opportunity to provide a strong, green landscape" and "there is sufficient space available to ensure that the plot is set within spacious landscaped grounds with generous greenery ..." no particular **environmental** benefits are identified. Furthermore, whilst the Supporting Planning Statement identifies various local amenities available within Kirton, these amenities would require a journey of more than 2km, mostly on un-lit, rural roads which lack footways and are subject to the national speed-limit. In these circumstances, it is considered that the occupants of the proposed dwelling would be likely to be heavily reliant upon

the private car to access key services and facilities, and that the application site is therefore an unsustainable location for a new dwelling.

7.6 In all, it is considered that:

- any economic, community or environmental benefits that will arise from the proposal will be outweighed by harmful effects that will stem from the site being in an unsustainable location; and
- the proposal conflicts with Policy 1 which, in overall terms, seeks to limit new development in the countryside in order to ensure that a sustainable pattern of development is created.

7.7 It is considered that the proposal does not meet the requirements of either of Policy 1's tests, and this weighs against it.

Character of the area

7.8 Policy 2 of the Local Plan states that proposals requiring planning permission 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 as well as the quality of its design and orientation. Policy 3 states that all development must create a sense of place by respecting the density, scale, visual closure, landmarks, views, massing of neighbouring buildings and the surrounding area.

7.9 An objection has been received, arguing that:

- the proposed dwelling will be out-of-character both in terms of its location within its plot and the materials proposed; and
- the application site is generally inadequate in width to satisfactorily accommodate a dwelling.

7.10 The application site is located within a small group of dwellings in the countryside, and it is considered that the introduction of a new dwelling and residential curtilage will not automatically appear alien. As this is an outline application with all matters reserved, details regarding the appearance, layout and scale of the development are not to be considered as part of this application. That being said, indicative drawings have been submitted ('PL03 – Proposed site layout' and 'PL04 - Proposed plan, elevations and roof layout') showing how the application site could be developed. These drawings show a detached 1.5-storey dwelling located towards the centre of the site (i.e. approximately 55m from the highway), with a single-storey garage immediately to its east. The Supporting Planning Statement indicates that roofs would be in red pantiles, and walls in red brick.

7.11 The existing dwellings in the area do not have a unified character – they vary in size, age, design, and materials, and also show significant variation in their plot sizes. Whilst the submitted drawings are indicative only, it is considered that a plot layout and a new dwelling could be designed that would not appear out-of-place in the context

described above. It is noted that all three of the existing dwellings in the area are located relatively close to the highway, and it is considered that the narrowness of eastern parts of the application site is highly likely to mean that any new dwelling on the application site would have to be located significantly further west. However, it is not considered that such a layout would be harmful to the area's character.

7.12 In all, and:

- notwithstanding the objection; and
- subject to an appropriate reserved matters application, it is considered that the proposal complies with these requirements of Policies 2 and 3 of the Local Plan.

Neighbours' amenity

7.13 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.

7.14 An objection has been received, arguing that:

- Cherry Tree Farm will suffer adverse impacts from overlooking, loss of privacy, and the curtailment of views and light;
- noise and disturbance from the proposal will frighten the horses kept within Cherry Tree Farm's curtilage, with safety risks for riders/handlers;
- construction will involve excavations close to Cherry Tree Farm with risks of surface water flooding and building subsidence; and
- the proposal includes the planting of a hedge containing blackthorn (which is toxic to horses) at the boundary with Cherry Tree Farm's horse ménage.

7.15 The indicative drawings show that significant separation distances can be preserved between the proposed dwelling and the existing dwellings in the area – e.g. approximately 30m to Cherry Tree Farm (with a substantial stable building in the intervening space), 35m to Fuschia Cottage, and 40m to Holly Cottage. As such, it is highly unlikely that the new dwelling will have significant adverse impacts on the windows of habitable rooms in terms of over-shadowing, loss of light or harm to outlook. As the application is outline and all plans are indicative only, details such as fenestration have not yet been decided, and an assessment of impacts on the neighbouring dwellings in terms of loss of privacy or overlooking cannot currently be made. Nonetheless, it is considered that a scheme could be designed that would have no such severely adverse impacts. A detailed assessment will, of course, be possible at reserved matters stage, and reserved matters will not be approved if there will be an unacceptable loss of privacy or outlook.

7.16 The indicative drawings show the southern elevation of the new dwelling (containing both ground and first-floor windows) being located within approximately 3m of the boundary with Cherry Tree Farm's curtilage, and the occupants of that dwelling have raised several concerns (outlined above). Much of the boundary between the application site and Cherry Tree Farm is marked by tall hedges, and the indicative

drawings show the erection of a new 1.8m-high close-boarded fence (supplemented with a new hedge) at those locations where there are currently gaps and where views from the new dwelling would most be available. Given that:

- Cherry Tree Farm has a very extensive curtilage;
- those parts of the curtilage closest to the indicative location for the new dwelling are in equestrian use (rather than domestic garden); and
- the application site itself is sizeable, and thus there are opportunities for the dwelling to be located where the overlooking of a neighbouring curtilage will be least problematic,

it is considered that issues relating to overlooking, loss of privacy, and the curtailment of views and light for Cherry Tree Farm's curtilage can be avoided.

7.17 With respect to the other issues:

- the use of hedgerow species that are dangerous to horses can be avoided when final details are submitted at reserved matters stage;
- it is considered unlikely that activities at a domestic dwelling (including vehicle movements) will generate noise or other disturbance that will spook neighbouring horses (once the horses are used to the dwelling's presence);
- any potential adverse drainage impacts would need to be considered at reserved matters stage; and
- the potential for building subsidence is considered to be very limited, considering that a significant distance can be maintained between a new dwelling and any existing buildings on neighbouring sites.

7.18 In all and notwithstanding the objection, it is considered that (subject to suitable details being submitted at reserved matters stage) the proposal could meet these requirements of Policies 2, 3 and 30.

Highway safety

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

7.20 An objection has been received, arguing that inadequate space is provided for the manoeuvring of vehicles within the site.

7.21 As this is an outline application with all matters reserved, details relating to vehicular access are not to be considered as part of this application. That being said, an indicative drawing has been submitted (Proposed Site Layout) showing that the existing access onto Drainside North will be used. Visibility for vehicles entering and leaving the site appears to be acceptable, notwithstanding that the speed limit is 60MPH, and it is considered that the additional traffic that may be generated by a new dwelling is unlikely to harm highway safety.

- 7.22 The indicative drawing also shows the provision of turning facilities within the application site and, whilst the objector's concerns re. this element of the proposal are noted, it is considered that the site is sufficiently large to enable adequate turning facilities to be provided at reserved matters stage - enabling vehicles to enter and leave the site in a forward gear. A condition should be attached to any approval to require such facilities to be: included in the subsequent reserved matters application; implemented; and maintained in perpetuity.
- 7.23 In all and notwithstanding the objection, the proposal appears to be acceptable in principle on highway safety grounds – subject to the above condition, and other information that will be submitted at reserved matters stage.

Parking provision

- 7.24 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.
- 7.25 As this is an outline application with all matters reserved, details relating to parking provision are not to be considered as part of this application. That being said, indicative drawings have been submitted ('Proposed Site Layout' and 'Proposed plan, elevations and roof layout') showing the provision of a detached garage (potentially providing cycle storage) and space for the external parking of a car. A condition should be attached to any approval to require car and cycle parking arrangements to be: shown in the subsequent reserved matters application; implemented; and maintained in perpetuity.
- 7.26 In all, the proposal appears to be acceptable in principle in vehicle and cycle parking terms – subject to the above condition, and other information that will be submitted at reserved matters stage.

Air quality

- 7.27 Policy 30 of the Local Plan requires development proposals to include suitable measures to mitigate any adverse impact on air quality.
- 7.28 As this is an outline application with all matters reserved, details relating to such matters are not to be considered as part of this application. The proposed development will inevitably increase the use of private vehicles, which could adversely affect air quality, and it is considered that appropriate mitigation measures should be secured by condition to mitigate the impact on the local environment and the wider causes of climate change.

Water use

- 7.29 Policy 3 of the Local Plan requires development proposals to minimise the use of water, and Policy 31 specifically requires residential development to comply with the Building Regulation water efficiency standard of 110 litres per person per day.

- 7.30 As this is an outline application with all matters reserved, details regarding water use are not to be considered as part of this application. However, it is appropriate for a condition to be attached to require the water consumption of the dwelling to not exceed 110 litres per person per day.
- 7.31 Subject to a condition to require the water consumption of the dwelling to not exceed 110 litres per person per day, it is considered that the proposal will satisfactorily minimise water use and will meet these requirements of Policies 3 and 31.

Biodiversity

- 7.32 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.
- 7.33 The application site comprises a pasture field (overgrown at the time of the site visit) which contains significant lengths of hedgerows/trees at its northern, southern and eastern boundaries. As this is an outline application with all matters reserved, details regarding biodiversity, landscaping, etc. are not to be considered as part of this application. That being said, an indicative drawing has been submitted (Proposed Site Layout) showing how the application site could be developed with the retention of the great majority of trees and including a length of new hawthorn/blackthorn hedge. It is not considered, however, that such measures would significantly enhance the feeding, nesting and roosting opportunities offered by the site or ensure that the proposal will provide an overall gain in biodiversity – and a condition to require the submission of such measures at reserved matters stage would be required.
- 7.34 Thus, subject to a condition to require any reserved matters application to include details of proposed ecological enhancements, it is considered that the proposal could meet these requirements of Policies 3, 28 and 31.

Flood risk

- 7.35 Policy 4 of the Local Plan states that a proposed development within an area at risk of flooding (Flood Zones 2 and 3) will be permitted where it can be demonstrated that there are no other sites available at a lower risk of flooding (through passing the sequential test), and appropriate flood mitigation measures have been put in place. Development will also need to demonstrate that surface water from the development can be managed and will not increase the risk of flooding to third parties.
- 7.36 The application is accompanied by a Flood Risk Assessment that:
- identifies that the site is: located within Flood Zone 3; exposed to a flood hazard of 'low hazard' and 'danger for some'; and exposed to a maximum flood depth of between 0.75m and 1.25m;

- indicates that *“the Sequential Test and Exception Test are required to be applied by the Local Planning Authority. Large parts of the Boston Borough Council district lie in Flood Zone 3. As such there are limited opportunities to undertake the development at an alternative site with a lower flood risk. Furthermore, it is not possible to position the development on higher ground within the proposed site. The Flood Zones assume that no defences exist, however, if defences are considered then the site has a low probability of flooding and is considered to pass the sequential test”*; and
- the dwelling’s finished ground-floor floor level should be set at 1m, with 0.3m of flood resilient construction above.

7.37 The Internal Drainage Board does not object, but makes a series of detailed comments. Lincolnshire County Council (the Lead Local Flood Authority) indicates that *“sufficient information will be required to demonstrate that the use of a suitable drainage system for the management of surface water run-off is appropriate for this site to mitigate concerns with flooding of the property and surrounding land”* but concludes that the proposed development will not increase surface water flood risk. An objection has been received from a neighbouring resident, arguing that construction will increase risks of surface water flooding.

7.38 Whilst the submitted Flood Risk Assessment (FRA) sets out mitigation measures intended to make the proposal safe from flooding in accordance with the Exception Test, it is not accompanied by a successful Sequential Test to demonstrate that sites at lesser risk of flooding are unavailable. The FRA’s arguments relating to the Sequential Test (quoted above) are not accepted and it is considered that the proposal does not meet the requirements of Policy 4 of the Local Plan and Section 14 of the NPPF, and this weighs against it.

8.0 Summary and Conclusion

8.1 The above assessment identifies that, subject to details being submitted at reserved matters stage, it is considered that the proposal could be designed in such a way which will:

- protect the character of the area;
- protect neighbours’ amenity;
- be acceptable in highway safety terms;
- include adequate provision for the parking of motor vehicles and cycles;
- be acceptable in air quality terms;
- be acceptable in water use terms; and
- provide a net gain in biodiversity.

8.2 However, it is considered that the proposal does not meet the requirements of Policy 1 of the Local Plan, in that:

- no evidence has been put forward to demonstrate that the proposal is ‘necessary to its location’; and

- although the proposal will undoubtedly provide some economic, community and environmental benefits, these benefits will be outweighed by the adverse impacts that will stem from the site's unsustainable location.

Consequently it is considered that the proposal conflicts with the Local Plan's Spatial Strategy.

8.3 Furthermore, the application site is located within Flood Zone 3, and the proposal falls within the 'more vulnerable' flood risk category, and the requirements of Policy 4 of the Local Plan and Section 14 of the NPPF require a Sequential Test to demonstrate that no sites at lesser risk of flooding are available. No such Sequential Test has been submitted.

8.4 Bearing in mind the above conflicts with fundamental elements of the Local Plan's Policies, it is considered appropriate for planning permission to be refused.

9.0 **Recommendation**

9.1 It is recommended that the Planning Committee REFUSES this application, for the reasons set out below.

REASONS	
1	The application site lies in the countryside, outside of any defined settlements listed in Policy 1 (Spatial Strategy) of the South East Lincolnshire Local Plan 2019. The site is remote and physically and functionally separate from any settlement. It has not been demonstrated that the proposal is necessary to the location or that the proposal would meet the sustainable development needs of the area and as such the proposal is contrary to Policy 1. Future occupiers of this proposed dwelling would be highly reliant on the use of a motor vehicle to carry out essential tasks. As a result the proposal is contrary to the provisions of Policy 1, 2 and 3 of the South East Lincolnshire Local Plan 2019 and the aims of sustainable development in the National Planning Policy Framework 2021.
2	The application site is located within Flood Zone 3 of the Environment Agency Maps and the proposal is within the 'more vulnerable' flood risk vulnerability category. The application is not accompanied by a successfully completed Sequential Test, and therefore fails to demonstrate a necessity for the development in this location or that sites at lower risk of flooding are unavailable. As such the proposal is contrary to Policy 4 of the South East Lincolnshire Local Plan 2019 and Section 14 of the National Planning Policy Framework 2021.