

BOSTON BOROUGH COUNCIL

Planning Committee – 12th September 2023

Reference No: B/23/0180

Expiry Date: 20-Jul-2023
Extension of Time: 15-Sep-2023

Application Type: Full Planning Permission
Proposal: Proposed remodeling of existing dwelling and alterations and extensions to include attached annexe

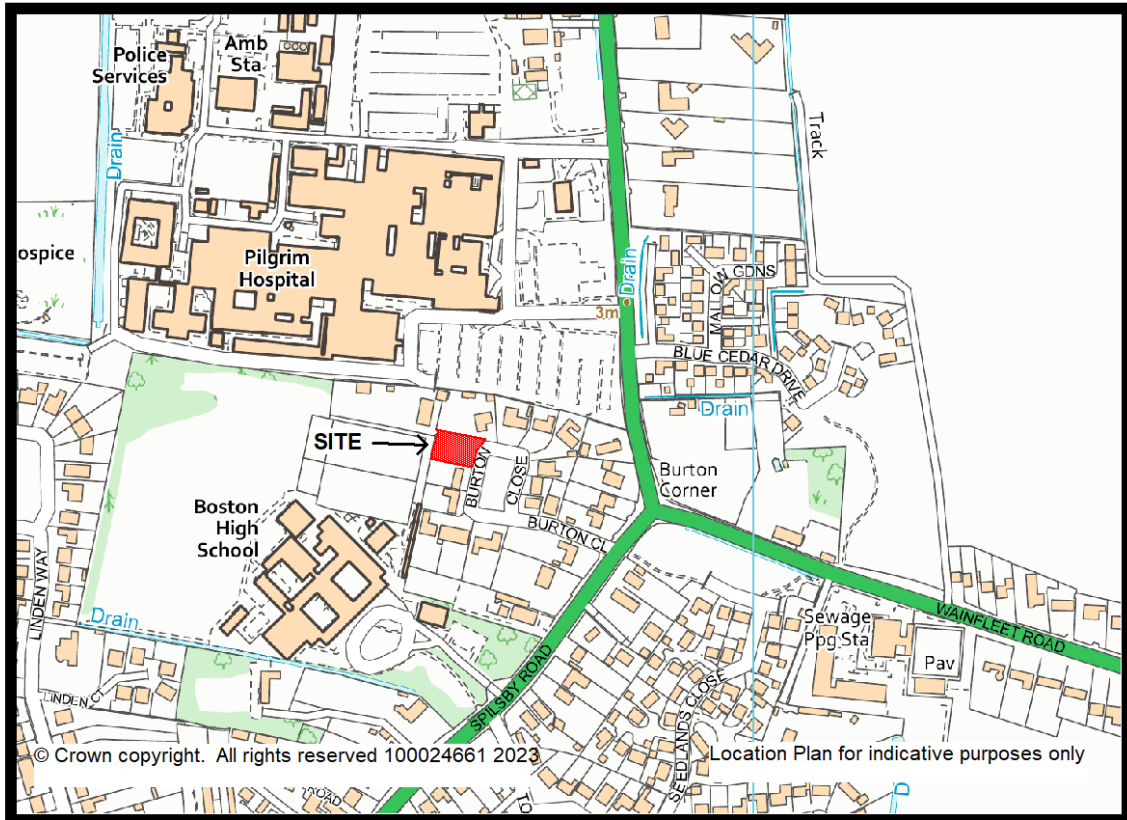
Site: 10, Burton Close, Boston, PE21 9QW

Applicant: Mr & Mrs N Norris
Agent: Mr Adrian Fox, AF Architecture

Ward: Trinity Parish: Boston Town Area Committee

Case Officer: Megan Epton Third Party Reps: 11

Recommendation: Approve with Conditions.



1.0 Reason for Report

1.1 The application has been called in by Councillor Cresswell on the grounds of negative impacts upon the character and appearance of the area.

2.0 Application Site and Proposal

2.1 The application site comprises of 1no. two-storey detached residential dwellinghouse, located on the western side of Burton Close, Boston within a spacious plot. It is directly adjacent to 2no. residential dwellings - 1no. to the south and 1no. to the north. It is also within very close proximity to one other property to the north-west. The rear of the plot is adjacent to the grounds of Boston High School.

2.2 This is a full planning application for the proposed remodelling of the existing dwelling to include a re-design and extensions (to accommodate an ancillary annexe) and alterations to the internal layout.

2.3 Full details are set out on:

- 23/224/Ex-01 O.S Location Plan and Existing Ground & First Floor Plans;
- 23/224/Pr-01 Proposed Ground & First Floor Plans;
- 23/224/Pr-02 Rev A Proposed Second Floor Plan, Existing & Proposed Block Plans and Proposed Side/ North Elevation; and
- 23/224/Pr-03 Rev A Proposed Elevations.

2.4 The application is also accompanied by:

- Flood Risk Assessment dated May 2023.

3.0 Relevant History

3.1 B/06/0584 – Front porch extension, 2 single storey side extensions, single storey rear sun lounge, detached double garage and games room: approved Oct 2006.

4.0 Relevant Policy

South East Lincolnshire Local Plan 2019

4.1 The following policies contained within the South East Lincolnshire Local Plan (2019) (i.e. SELLP) are relevant to this application:

- Policy 1: Spatial Strategy;
- Policy 2: Development Management;
- Policy 3: Design of New Development;
- Policy 4: Approach to Flood Risk; and
- Policy 30: Pollution.

National Planning Policy Framework 2021

4.2 At the heart of the 2021 Framework is a presumption in favour of sustainable development. The following sections are relevant to this scheme:

- Section 4: Decision making;
- Section 12: Achieving well-designed places; and
- Section 14: Meeting the challenge of climate.

5.0 Representations

5.1 As a result of publicity 12 representations have been received from:

- No.'s 1, 3, 4, 5, 6, 7, 11, 12, 13 and 14 Burton Close.

5.2 The objections and comments can be summarised as follows:

- **Character and appearance** – the residents consider the proposals' design to be 'out-of-keeping' with the existing character of the Close, with specific concerns over its modern re-design not fitting in with the existing two storey dwellings and bungalows. The key point that can be picked out is that the dwelling's proposed scale is considered too large by most; the proposals would be dominating when considering the Close as a whole and the nature/character of the Close would be impacted as a result of an enlarged dwelling.
- **Privacy** – some residents raise concerns over privacy as a result of the extended balcony upon the rear elevation and the glass feature on the front elevation that overlooks the communal green.
- **Overshadowing** – the residents have raised concerns about the dwelling increasing the shadowing over other properties within Burton Close.
- **Parking and Traffic** – the residents are concerned about how the increase in size of the property would affect the parking on site and the vehicle movements as a result of the construction work.
- **Amenity and Impact of Construction** - residents are concerned by the impact of noise from construction and the creation of dirt and dust and the effect this will have on their amenity.
- **Other Matters** – concern has been raised about the possibility of the dwelling being converted into a House of Multiple Occupancy. This is not relevant at this stage.

6.0 Consultations

6.1 Cadent Gas – no objections, with an informative to be added to the decision notice.

6.2 Lincolnshire County Council (Local Highway and Lead Local Flood Authority) – no objections.

6.3 Witham Fourth Internal Drainage Board – no objections.

7.0 Planning Issues and Discussions

7.1 The key planning issues in the determination of this application are:

- Principle of development;

- Design and impact on the character and appearance of the area;
- Impact on residential amenity;
- Impact on highways safety;
- Flood Risk.

7.2 Principle of Development

7.3 The proposal seeks the remodelling, extension and alterations of the existing dwelling, including the creation of attached annexe accommodation ancillary to the main dwelling no.10 Burton Close.

7.4 The proposal would include increasing the size of the dwelling, including raising the ridge height and remodelling the dwelling, including full height windows to the front, and a covered balcony to the rear.

7.5 It should be noted that whilst the ancillary use of an annexe is acceptable in principle, the separation of such an annexe as an independent separate dwelling would not be supported within this context.

7.6 It will therefore be necessary, if all other Policy criteria are met, to apply a condition to ensure that the annexe will be occupied only for the purposes ancillary to the use of the residential use of 10, Burton Close, Boston, PE21 9QW.

7.7 Design and Impact on the Character and Appearance

7.8 Policy 2 of the SELLP 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.

7.9 In terms of the re-design element of the proposals, the external appearance is proposed to be altered by changing the existing fenestration, the creation of a new glass feature upon the front elevation, the proposed extension of the existing rear balcony and the replacement of the existing roof that introduces new gable features upon the front elevation.

7.10 To accommodate the creation of the new attached annexe space on its southern elevation, the proposals include the demolition of the existing detached garage. The annexe would result in the dwelling extending out by approximately 6m from its side elevation and be 11.6m in length/depth. There are also slight extensions to the main dwelling's footprint on both the front and rear elevations resulting in a further 1.7m approx. on the front elevation and a maximum of 1.9m on the rear elevation.

7.11 The proposed roof alterations and newly created attic space introduce a second floor to the dwelling that would see the dwelling's overall ridge height increased from approximately 7m high to 8.95m high.

7.12 Objections have been received from a large number of local residents of Burton Close, arguing that the proposals are out of character with the area and are of too large a scale for the site in context with the surrounding area.

- 7.13 The applicants have provided the following justification in response to comments received:
- The proposed dwelling is on the corner of the cul de sac overlooking green space with mature trees on it. There are no properties immediately behind it to the west, multiple mature trees to the perimeter of it and surrounding boundaries and the backdrop of the Pilgrim Hospital towering above and so the proposals would have limited impact on the character of the area;
 - The form, character and size of existing dwellings on Burton Close are varied with good separation between them and most, if not all, are on large spacious plots;
 - Most dwellings within Burton Close visually 'stick-out' within their own right- there is no prevalent style or design in existence within the Close.
- 7.14 It is considered that whilst the proposals would introduce an appearance that would be different to the existing design of no.10 Burton Close and other dwellings in the surrounding area, it is not considered to appear alien or out-of place within this context, nor would it be harmful to the character of the area. Burton Close does not have a uniform appearance given that the existing dwellings in the area vary greatly in their scale, layout, design, materials and plot-size and are all very individual within their own right. The proposal therefore would not have a harmful impact upon the character of the street.
- 7.15 The concern regarding the increase of the footprint and height of the dwelling is noted and the applicants have submitted revisions to alter the angle of the roof pitch from 40 degrees down to 35 degrees, in turn lowering the proposed height by approximately 700mm.
- 7.16 Taking into account the amendments to reduce the overall ridge height, it is considered that when comparing the physical distances between plots, plot sizes and the existing context of Pilgrim Hospital serving as a backdrop for the application site, that the proposals would not significantly harm the character of the site or surrounding area. The street is characterised by a range of styles, materials and appearances, all within large plots and the proposal would not be out of keeping with this.
- 7.17 Notwithstanding the objections received, it is considered that whilst the appearance and scale of the dwelling would alter, the proposal would not have harmful impacts upon the character and appearance of the area and meets these requirements of Policies 2 and 3.
- 7.18 **Residential Amenity and Pollution**
- 7.19 SELLP Policies 2, 3 and 30 advocate that a proposed development should consider if there is an impact on the amenity of the site and neighbouring sites as well as the impact upon neighbouring land uses in terms of noise, odour, disturbance or visual intrusion.
- 7.20 The application site is directly adjacent to 2no. residential neighbours, no.11 to the south and no.8 to the north. The driveway of no.9 runs along the northern boundary and no.9 is situated to the north-west of the site.
- 7.21 Objections have been received by residents in relation to a number of key points regarding overshadowing, privacy and the impact of construction on their amenity.
- 7.22 As the proposals are for the physical alteration of an existing residential dwelling, an air quality assessment was not required. In addition, as the existing use as a dwelling is to be

continued, it is not considered that the proposed development, once completed, would impact negatively on the neighbouring land uses in terms of noise, odour or disturbance, nor would it result in an unacceptable level of dirt/dust creation beyond what is reasonably expected for minor residential developments.

- 7.23 The main considerations for this proposal are the impact upon the amenity caused by possible overlooking, loss of privacy and overshadowing as a result of the alterations proposed.
- 7.24 The plots on the western side of Burton Close are large and back onto Boston High School. No.10 is largely screened by existing landscaping features towards the rear and there is a good level of separation distance between the dwelling on the plot and the adjacent neighbouring dwellings, given that they are largely positioned within the centre towards the front (east) of their plots.
- 7.25 These dwellings on the western side of the close (adjacent to the site) are easterly facing, with the adjacent properties being located to the north and south of the site and so, due to this positioning, it is not considered that the proposed works would result in a detrimental level of shadowing despite the proposed increase in scale. Any overshadowing that may occur as a result of the increased footprint and height, would be to the properties to the north of the site. This would predominantly impact the driveway of no.9 or the front garden of no.8 and would not impact on any private amenity space or habitable windows.
- 7.26 In terms of impact upon privacy, it is important to note that the applicant has made an effort to limit negative effects-
- No new side elevation windows are proposed upon the north or south elevations, only replacement windows and high level velux-style windows within the roof pitch;
 - A wall has been extended on the northern boundary so as to limit the views from the extended balcony in this direction;
 - The annexe accommodation has been designed to extend past the rear elevation of the main dwelling so as to limit views south.
- 7.27 An existing balcony is present upon the dwelling's rear elevation and this application only seeks to extend this to the full width of the dwelling. Due to the inclusion of an extended wall to act as screening in the northern direction and the similar screening from the proposed extension, it is considered that views over neighbouring gardens would be limited to an acceptable level, with views limited to the rear. It is also key to note that there is significant distance between dwellings and the school grounds to the rear, with the plots in question being large and well-screened.
- 7.28 The proposed glass feature on the front elevation faces the communal green. This element is not considered to be a threat to the amenity of residents on Burton Close due to the sizeable physical and visual distances between properties on the west and eastern side of the close. There are also a number of well-established trees planted around the green that serve as screening.
- 7.29 Overall, notwithstanding the received objections, it is considered that, by virtue of the separation distances, orientation and plot sizes, the proposal would not result in a detrimental impact upon the residential amenity of future or current occupiers and/or neighbours by way of overlooking, loss of privacy, overshadowing, noise or disturbance or

air pollution. It is therefore considered that the proposal complies with SELLP Policies 2, 3 and 30.

7.30 Impact on Highways Safety and Parking

7.31 SELLP Policy 2 states that developments will be permitted providing that sustainable development considerations are met relating to access and vehicle generation levels.

7.32 The proposal includes the demolition of the existing garage that serves the property and alterations to the driveway/available space for parking as a result.

7.33 Objections have been raised with regards to the impact the proposals will have on parking, in that there is concern that the residents of no.10 will require to use the limited available space on the highway of Burton Close to park their vehicles. Other concerns were raised with regards to the effect the construction traffic may have upon the roadway.

7.34 The proposals do include the provision of 4-5 spaces for vehicular parking through an extension of the driveway in front of the area of the proposed annexe.

7.35 The Highways Authority were consulted on the application and have no objections to the proposals in terms of their parking or impact on highways quality and safety.

7.36 It is therefore considered that the proposed use is in accordance with SELLP Policy 2 in respect of effect on access, parking and highway safety.

7.37 Flood Risk

7.38 Policy 4 of the SELLP seeks to ensure that new development is not unnecessarily exposed to flood risk, and does not increase flood risk elsewhere.

7.39 The application site is located within the Environment Agency's Flood Zone 3 and therefore a Flood Risk Assessment was submitted as part of the application.

7.40 The document details the context of the site and the proposals and confirms that no additional ground floor sleeping accommodation is proposed as part of this application and the finished floor levels are to be set at 150mm above ground level, to match that of the existing dwelling.

7.41 When considering the site and proposals as a whole, it is considered to be an acceptable form of development in terms of flood risk that would not detrimentally increase the risk of flooding to the site or surrounding area. Therefore, the proposals are considered to accord with SELLP Policy 4.

8.0 Summary and Conclusion

8.1 When assessing the application and site as a whole, it is considered that the proposal would not have unacceptably severe harmful impacts upon the character and appearance of the area, nor would it have unacceptably severe harmful impacts upon neighbours' amenity. It is considered to be acceptable in flood risk terms and would not unacceptably compromise highway safety, including adequate provision for the parking/storage of bicycles and cars. Therefore, it is considered that the proposal

would meet the requirements of Policies 1, 2, 3, 4 and 36 of the South East Lincolnshire Local Plan 2019.

8.2 Notwithstanding the objections received, it is therefore considered appropriate to recommend the application to be granted.

9.0 **Recommendation**

9.1 It is recommended that Committee approve the application subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three 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 not be carried out except in complete accordance with the following details shown on the submitted plan(s):

- 23/224/Ex-01 O.S Location Plan and Existing Ground & First Floor Plans;
- 23/224/Pr-01 Proposed Ground & First Floor Plans;
- 23/224/Pr-02 Rev A Proposed Second Floor Plan, Existing & Proposed Block Plans and Proposed Side/ North Elevation; and
- 23/224/Pr-03 Rev A Proposed Elevations.

Reason: To ensure that the development is undertaken in accordance with the approved details, in the interests of residential amenity and to comply with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

3. The development hereby approved shall be carried out in accordance with the materials specified within the application form received on 23-May-2023 and drawings '23/224/Pr-02 Rev A' and '23/224/Pr-03 Rev A'.

The materials shall be implemented and thereafter retained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and character in accordance with Policies 2 and 3 of the South East Lincolnshire Local Plan 2019.

4. The annexe accommodation hereby approved shall not be occupied as an independent/separate dwelling or independent/separate business use, and shall only be used in association with, and for purposes ancillary to or incidental to the dwelling known as 10 Burton Close as identified by the extent of the red line on the location plan within drawing '23/224/Ex – 01'.

Reason: To ensure the building is used in accordance with the intentions identified in the application, to prevent the creation of an additional dwelling on the site, in the interests of flood risk and to comply with Policies 2, 3 and 4 of the South East Lincolnshire Local Plan 2019.