

Present:

Chairman: Councillor David Middleton

Vice-Chairman: Councillor David Scoot

Councillors: Peter Bedford, Dale Broughton, Barrie Pierpoint,
Claire Rylott, Lina Savickiene, Sarah Sharpe,
Suzanne Welberry, Stephen Woodliffe, Richard Austin BEM
and Stuart Evans

Officers: Assistant Director - Planning, Deputy Development Manager
and Legal Advisor, Legal Services Lincolnshire

167 APOLOGIES

Apologies for absence were tabled by Councillor Arayambath, Councillor David Brown with Councillor Stuart Evans substituting and by Councillor Alison Austin with Councillor Richard Austin substituting.

168 MINUTES

With the agreement of the committee the Chairman signed the minutes of the previous committee meeting held on 18 July 2023.

169 DECLARATION OF INTERESTS

Standing declarations of interest are tabled for Members of the Planning Committee who are also a:

Member of Lincolnshire County Council:

Councillor Alison Austin

Members of the South East Lincolnshire Joint Strategic Planning Committee:

Councillors: Peter Bedford and David Middleton.

Representatives of the Drainage Boards:

Councillors Peter Bedford, David Middleton, Chris Mountain, Claire Rylott, David Scoot, and Suzanne Welberry

Councillor David Middleton declared that he lived half a mile away from the site that was subject of planning application B 23 0180 but this would not preclude him from determining the application.

170 PUBLIC QUESTIONS

No public questions tabled.

171 PLANNING APPLICATION B 23 0180

The Planning Officer presented the report confirming that the application had been called in by the Ward member Councillor Cresswell on the grounds of negative impacts upon the character and appearance of the area.

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

Representation was received from Patricia Fenton-Fowler in objection to the application which included:

Ms Fenton-Fowler stated that she was speaking on behalf of 16 neighbours within Burton Close who had concerns about the proposal. She advised that the main concerns of the residents were that the applicant's proposal had not been communicated to them well in the early stages and that the proposal appeared to be more of a re-build of the property rather than a re-model. Concerns were also raised in respect of the height and width of the proposal. It was suggested that the Pilgrim Hospital was not the right comparison to have made, it should have been with that of other properties in the Close. It was also noted that the proposal would lead to the only three storey house in the area as most of the properties on Burton Close were bungalows, with five houses. She advised of concerns around the condition of the current road before any construction had started to take place and therefore wished to know whether the road would be repaired once construction had finished and who would pay for those repairs. Ms Fenton-Fowler stated that she had no objections to renovations taking place but felt they should be sympathetic to the structure and décor of the surrounding properties. There was also a concern around the green area in the centre of Burton Close which was privately owned, residents did not wish for this area to be used or damaged. She requested that a timescale be provided for the completion of construction work should the proposal be passed by the Committee as many of the residents of Burton Close were retired and would be impacted by the works. Ms Fenton-Fowler stated that the residents were a welcoming community and just wished for their view to be heard and listened to.

Answering questions tabled in respect of their representation Patricia Fenton-Fowler advised:

Ms Fenton-Fowler felt that the applicant should have approached all other residents within Burton Close to inform them of their proposal as residents had only become aware of the proposal when neighbours received a letter from the Planning department about it.

Representation was received from Mrs Norris as the applicant for the application which included:

Mrs Norris advised that her family had only recently moved to Burton Close and would have welcomed her neighbours into her home to discuss the proposal. She stated that they had no intention to turn the property into a HMO and that only her family members would be living at the property, including her elderly parents who would live in the independent attached proposed annexe. She appreciated that many of the residents had lived at Burton Close for many years but stated that they owned the property and had every right to make it their own. She explained that the build process was focused on the least disruption possible and that her husband, an experienced tradesman, would undertake a lot of the work on his own. Regarding concerns about the road, she stated that it was a public road and would expect to have the same rights to use it as any other resident. She reassured neighbours that the creation of dust and noise and any parking concerns would be taken into account within the construction process. She felt that there was no impact on the character and appearance of the area as all of the properties on Burton Close were individual. She also stated that the materials used would be sympathetic to the area and confirmed that the proposal actually increased the distance between their property and No. 11. Regarding concerns about overlooking of neighbouring properties, Mrs Norris confirmed that the glass front did not lead to any habitable rooms and that the balcony, that already existed to the rear, was being designed to extend to the annexe and to block out any views of the neighbouring garden.

Answering questions tabled in respect of their representation Mrs Norris advised: Mrs Norris confirmed that she was unaware that her neighbours had any concerns about the proposal until several complaints were submitted on the same day. She stated that following receipt of these complaints, she chose not to engage with other residents in Burton Close as she did not want to antagonize the community further.

Representation was received from Councillor Cresswell which included: Councillor Cresswell began her representation by thanking the Planning Officers for their diligent work on this case. She asked who decided whether effects of the proposal were significantly harmful as residents had expressed that the proposal would have unacceptable harmful effects on Burton Close. She expressed residents' concerns about the proposed dwelling being a three-storey building and that the road on Burton Close was only single-track meaning that no vehicles could park on the road. Councillor Cresswell also advised that the green area was owned by all the residents of Burton Close as part of a trust and that the trees on the green were deciduous, therefore not providing any cover at some times of the year. Concern was also raised about the number of parking spaces in the proposal in comparison to the number of bedrooms proposed. She also stated that there were some discrepancies within the proposal from the agent in relation to alterations to access and a pear tree situated next to the existing car port. Councillor Cresswell concluded by saying that Burton Close had a strong community living in homes that were in harmony who felt that the proposals design showed no thought for the impact on residents in Burton Close.

No questions were tabled of Councillor Cresswell who left the meeting at this part in the proceedings.

Prior to moving into deliberations, the Chairman invited the Deputy Development Manager to address any of the comments received during the representations:

Members were advised that a condition could be added for the applicant to provide a construction management plan which would include a restriction on times that construction works could take place.

Committee deliberation followed which included:

The Committee felt that a restriction of building times should be conditioned through a construction management plan. Concerns were raised about how the annexe part of the application would be policed and enforced and that it appeared that the agent had provided some points of the proposal incorrectly. Further concerns were raised about the parking arrangements for the proposal due to there only being 5 parking spaces, but 6 bedrooms proposed. Comments were also made in relation to the height of the proposal and questions were tabled as to what height would not be acceptable.

In response to questions tabled, the Deputy Development Manager advised that the dropping of a kerb would not constitute a new access to the property and that the removal of a tree was a minor issue that would not affect the officer's recommendation. Members were also advised that enforcement of the annexe was reliant on neighbours reporting the issue and Council Tax being received for a separate dwelling. In relation to concerns around parking, it was noted that Highways had not presented an objection to the proposal and that it met all policy requirements. It was also confirmed that all applications are assessed on their own merit and therefore there was not a definitive height that was too high.

It was moved by Councillor Woodliffe and seconded by Councillor Bedford that committee approve the application, in line with officer recommendation and subject to the conditions and reasons therein and to delegate to officers to add an extra condition relating to a construction management plan.

Vote: In Favour 11 Against 1 Abstentions 0

RESOLVED:

That committee approve the application in line with the officer recommendation subject to the addition of a condition relating to a construction management plan and the following conditions and reasons:

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.

The Meeting ended at 11.00 am