

Present:

Chairman: Councillor Alison Austin  
Vice-Chairman: Councillor Colin Brotherton

Councillors: Michael Cooper, Maureen Dennis, Jonathan Noble,  
Sue Ransome, Brian Rush, Claire Rylott, Paul Skinner,  
Yvonne Stevens and Stephen Woodliffe

Officers: Development Control Manager, Monitoring Officer and  
Senior Democratic Services Officer

**61 APOLOGIES**

There were apologies for absence from Councillors David Brown and Anton Dani, there were no substitutes.

**62 MINUTES**

The minutes of the Planning Committee meeting held on 8<sup>th</sup> November 2016 were agreed as a correct record and signed by the Chairman.

**63 DECLARATION OF INTERESTS**

Councillor Jonathan Noble pointed out that he had called in application number B/16/0311.

**64 PUBLIC QUESTIONS**

A member of the public had submitted a question in accordance with the Council's constitution, but was not present to ask it.

**65 PLANNING APPLICATION B/16/0311**

Proposal: Application under s.73 to remove Condition 3 (relating to affordable housing) from planning approval B/15/0211 for erection of 32 affordable dwellings, creation of vehicle access points and formation of a surface water attenuation pond

Site: Land at corner of Woodthorpe Avenue/Toot Lane, Boston, PE21 0NP

Applicant: Mr Parker, Waterloo Housing Group

The Development Control Manager presented this application. No update information was tabled and there was no representation from members of the public.

It was proposed by Councillor Stephen Woodliffe and seconded by Councillor Mike Cooper that planning permission be granted as recommended by the Planning Officers.

Vote: 10 for, 1 against

**RESOLVED: That Full Planning Permission be granted subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans;
  - Proposed Block Plan LDC1572-BR-01D
  - Plots 1-4 & 9-12 LDC0903-PL-104A
  - Plots 5-8 LDC0903-PL-105B
  - Plots 13-14 & 9-12 LDC0903-PL-106B
  - Plots 15 – 18 & 23-26 LDC0903-PL-108A
  - Plots 19-22 LDC0903-PL-107B
  - Plots 27-32 LDC0903-PL-109B
  - Existing Block Plan/Survey & site Location LDC0903-PL-01
  - Landscape Dwg No Toot/16/01A and Mgt Plan data sheet dated 13 July 2016
  - Bsp Consultancy Dwg Nos 15694/140 Rev I; 150 Rev G; 160 Rev C; 161 Rev B & 120 Rev H and Bsp SuDS Maintenance manual data sheets

Reason: To ensure the development is undertaken in accordance with the approved details and to accord with Adopted Local Plan Policy G1.

2. The tenth dwelling on the site shall not be occupied until the Public Open Space has been laid out and equipped in accordance with details that have been submitted to and approved by the local planning authority.

Reason: To provide a satisfactory level of publicly available amenity open space within the development and to accord with the objectives of Policy H4 of the Boston Borough Local Plan.

3. All landscape works shall be carried out in accordance with the approved details during the first available planting season following substantial completion of the development. Any trees, plants, grassed areas which within a period of 5 years from the date of planting die, are removed or become seriously damaged or diseased shall be replaced in the first available planting season with others of similar size species or quality.

Reason: In the interests of visual amenity and in accordance with Section 197 of the 1990 Act which requires local planning authorities to ensure, where appropriate, adequate provision is made for the preservation or planting of trees, and to ensure that the approved scheme is implemented satisfactorily in accordance with saved Local Plan Policies G1, H3 and H4.

4. All finished floor levels of the dwellings hereby approved shall be constructed in accordance with the details on approved Drawing No LDC1572-BR-01D.

Reason: To ensure that the development is carried out in accordance with the approved drawings, to reduce the risk of flooding to the development and future occupants and to accord with the objectives of the NPPF (2012).

5. The development hereby approved shall be carried out in accordance with the approved Flood Risk Assessment (1dc Issue 1, dated 28.05.2015) and in particular with the following mitigation measures:
- Flood resilient and resistant construction shall be incorporated throughout the development and the chosen method of flood doors or demountable barriers shall be notified to the local planning authority before the development commences above slab level. The approved mitigation measures shall be fully implemented prior to occupation.

Reason: To ensure that the development is carried out in accordance with the approved drawings, to reduce the risk of flooding to the development and future occupants and to accord with the objectives of the NPPF (2012).

6. The development shall be carried out in accordance with the approved surface water drainage scheme and no dwelling shall be occupied until the approved scheme has been completed or provided on the site in accordance with the approved phasing. The approved scheme shall be retained and maintained in full in accordance with the approved details.

Reason: In the interests of satisfactory drainage and to accord with the objectives of Local Planning Policy G3.

7. Before each dwelling is occupied the roads and/or footways providing access to that dwelling for the whole of its frontage from an existing public highway shall be constructed to a specification to enable them to be adopted as Highways Maintainable at the public expense, less the carriageway and footway surface courses. The carriageway and footway surface courses shall be completed within three months from the date upon which the erection is commenced of the penultimate dwelling.

Reason: To ensure safe access to the site and each dwelling/building in the interests of residential amenity, convenience and safety and to accord with the objectives of Local Plan Policy G6.

8. Before any dwelling is commenced, all of that part of the estate road and associated footways that forms the junction with the main road and which will be constructed within the limits of the existing highway, shall be laid out and constructed to finished surface levels in accordance with details to be submitted and approved by the local planning authority.

Reason: In the interests of safety of the users of the public highway and the safety of the users of the site safety and to accord with the objectives of saved Local Plan Policy G6.

In determining this application the authority has taken account of the guidance in paras 186 – 187 of the NPPF (2012) in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

Note: This approval is accompanied by a unilateral undertaking under s.106 of the Act offered by New Linx Housing Trust and dated 2 December 2016.

**66 PLANNING APPLICATION B/16/0262**

Proposal: Proposed two new dwellings and garages and associated works (revised proposals received 21 November 2016)

Site: Winfield, Fen Road, Frampton West, Boston

Applicant: Applegate Homes (Lincs) Ltd

The Development Control Manager presented this application. No update information was tabled.

A hard copy of the official revised layout plan was circulated for clarity and the meeting was adjourned for five minutes to consider it.

The Committee then received representation from Mr C Wicks, the applicant's agent. Mr Wicks explained that the applicant and agent had worked hard with Planning Officers for a solution to provide an interesting street scene and protect the amenity of neighbouring properties, particularly numbers 161 and 155 Swineshead Road. There would be no overlooking; there would be no first floor windows facing the site to the north, bedroom windows would all be frosted glass and there were good separation distances between the proposed dwellings and numbers 161 and 155. A proposed double garage with bedroom above in one plot had been removed and instead a single detached garage was proposed at a good separation distance. There would be no overshadowing due to the orientation of the proposed dwellings and, in fact, the outlook from the existing dwellings had been improved by the removal of poplar trees.

Mr Wicks said Applegate Homes would be taking over these plots so that the whole development (these two and the nine already approved on the adjoining site) would be of a high-quality, co-ordinated design. This site was no longer open countryside and was highly sustainable. This was not over-intensification; density was below that of the first nine dwellings approved and the properties would have good amenity space, each with 4 parking spaces. The proposal would not cause surface water flooding and floor levels were the same as on Swineshead Road. There were no objections from consultees or from residents at the access to the site.

The Development Control Manager added that, because a particular footprint and design was being recommended, he would also recommend an additional condition be added to remove permitted development rights.

It was proposed by Councillor Claire Rylott and seconded by Councillor Yvonne Stevens that planning permission be granted as recommended by the Planning Officers with the additional condition to remove permitted development rights.

Vote: 8 for, 3 against

**RESOLVED: That Full Planning Permission be granted subject to the following condition 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 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans

- 1d/4 Location Plan and Site Plan Dwg no. 14-2255-02 Rev. K
- 2b/4 Elevations and Floor Plans Plot 10 Dwg no. 14-2255-11 Rev. C
- 3a/4 Elevations and Floor Plans Plot 11 Dwg no. 14-2255-12 Rev. A
- 4/4 Elevations and Floor Plans Garage details Dwg no. 14-2255-13
- Planning Design and Access Statement incorporating Flood Risk Assessment dated October 2016.

Reason: To ensure the development is undertaken in accordance with the approved details and to accord with Adopted Local Plan Policy G1.

3. The development hereby approved shall be carried out in accordance with Section 9.0 of the the approved Planning Design and Access Statement (Flood Risk Assessment) and in particular the following mitigation measures:

- Finished floor levels of all dwellings shall be set no lower than 2.5m AOD.
- Flood resilient construction techniques shall be incorporated to a minimum height of 300mm above the critical floor level.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to accord with the objectives of the NPPF (2012).

4. Brackets to allow demountable defences shall be erected on ground floor doorways of all dwellings to a height of 600mm above finished floor levels.

Reason: To reduce the risk of flooding to the proposed development and future occupants and to accord with the objectives of the NPPF (2012).

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification)

no external alterations shall be carried out to the dwellings  
no extensions shall be carried out to the dwellings  
no garages or outbuildings shall be erected within the curtilage of the dwellings  
no windows or dormer windows shall be added to the dwellings

without the express permission of the local planning authority.

Reason: In the interests of the residential amenity of neighbouring residents and in accordance with Adopted Local Plan Policy G1.

In determining this application the authority has taken account of the guidance in paras 186 – 187 of the NPPF (2012) in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

## **67 RECEIPT OF APPEAL DECISIONS**

The Development Control Manager presented a report to advise Members of the receipt of two appeal and costs decisions in respect of 332a Willington Road, Kirton End and Land at Park Lane, Freiston.

Both appeals were allowed (planning permission granted) but in the costs applications against the Council, both were refused (costs were not awarded). The four decision letters were attached to the report.

## **68 DELEGATED DECISION LIST**

The delegated decision list for 24/10/2016 TO 18/11/2016 was noted.

The Meeting ended at 3.26 pm