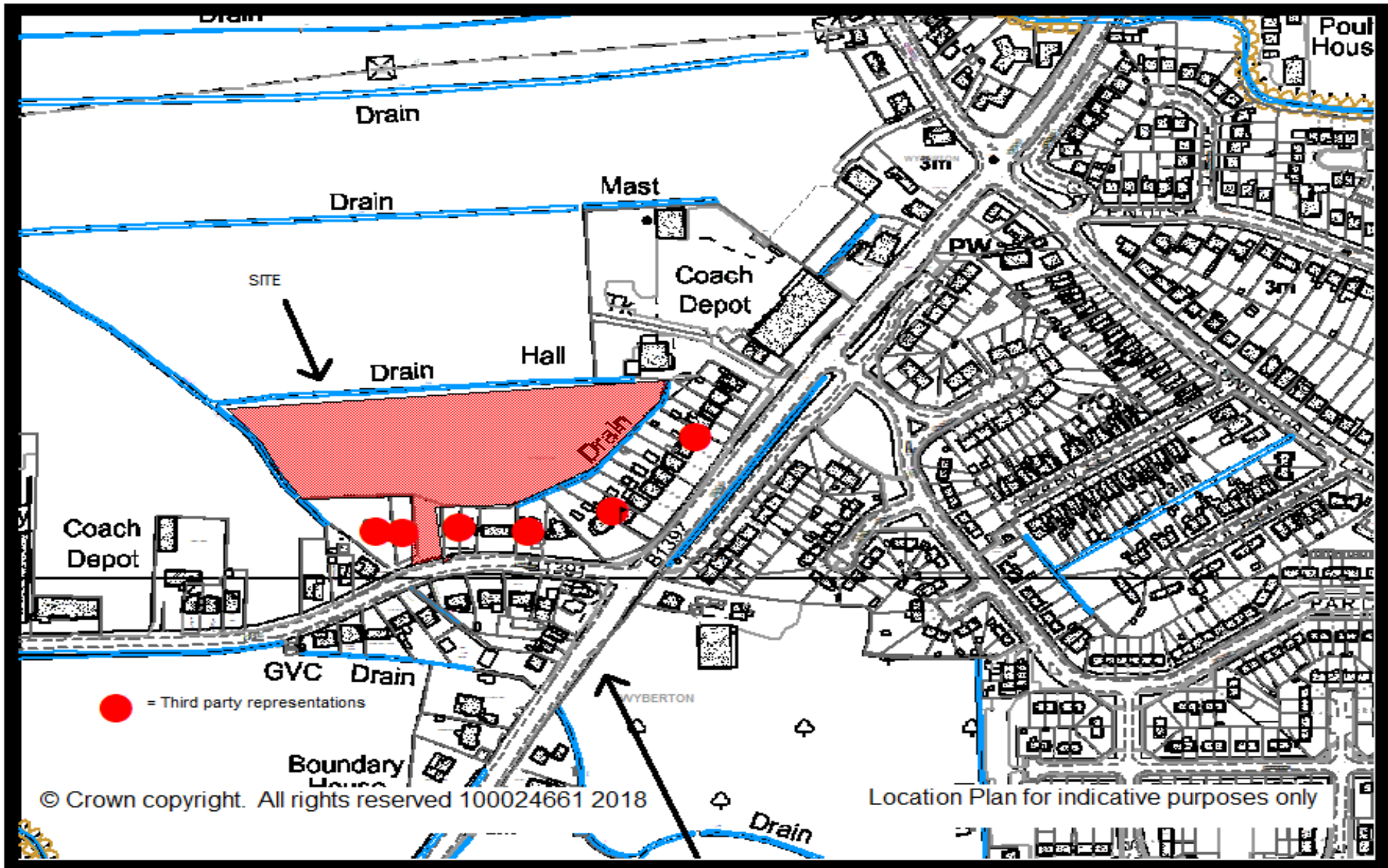


# **PLANNING APPLICATION B/18/0298**

Outline planning application for residential development (up to 30 dwellings) with all other matters reserved

Land to rear of 1-9 Ralphs Lane, Wyberton,  
Boston, PE21 7AX

Applicant: Mr W.B. Lake



● = Third party representations

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Location Plan for indicative purposes only

## BOSTON BOROUGH COUNCIL

### Planning Committee – 13 November 2018

Reference No: B/18/0298/OUTL

Expiry Date: 15-Oct-2018  
Extension of Time: 19-Nov-2018

Application Type: Outline Planning Permission  
Proposal: Outline planning application for residential development (up to 30 dwellings) with all other matters reserved

Site: Land to rear of 1-9 Ralphs Lane, Wyberton, Boston, PE21 7AX

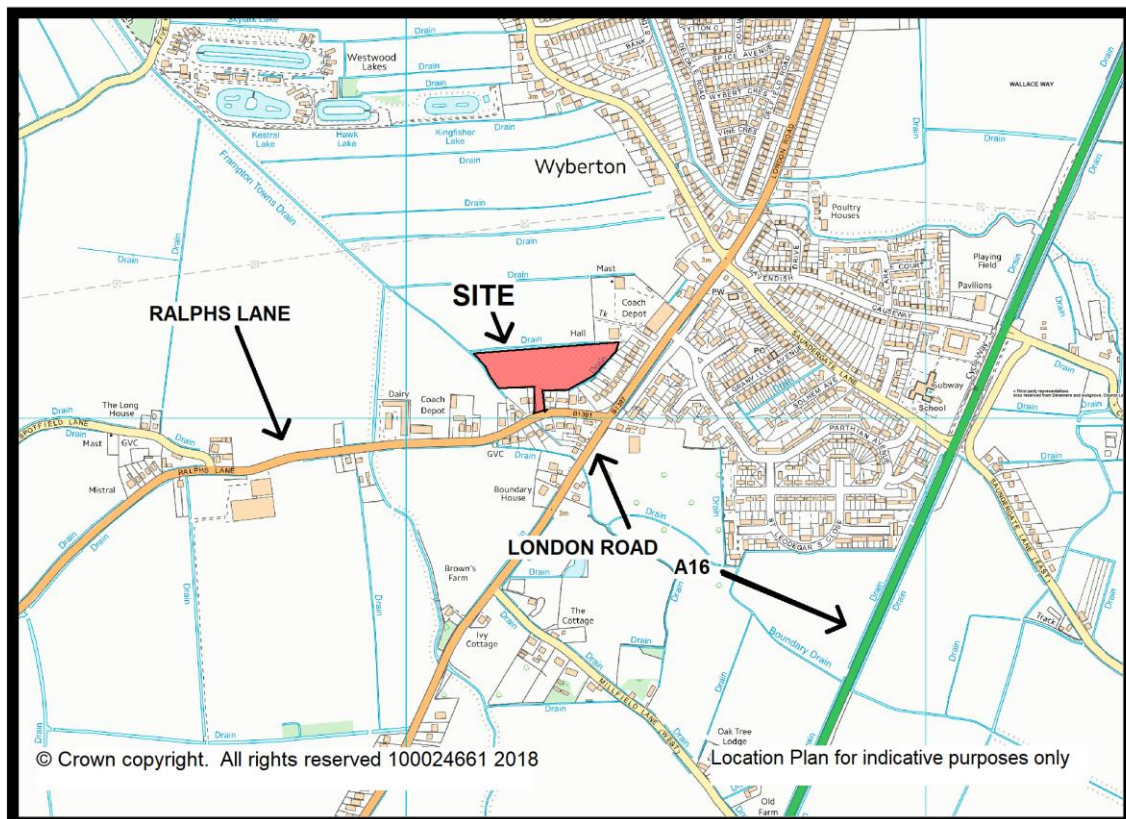
Applicant: Mr W.B. Lake  
Agent: Mr Guy Forman, Guy Forman Architecture Ltd

Ward: Wyberton Parish: Wyberton Parish Council

Case Officer: Stuart Thomsett Third Party Reps: Eight

Link to Application: [B/18/0298](#)

**Recommendation: REFUSE**



## **1.0 Reason for Report**

- 1.1 This application is presented to Planning Committee to clarify whether such sites are within the countryside or are infill development, particularly in light of policies contained within the emerging South East Lincolnshire Local Plan (SELLP).

## **2.0 Application Site and Proposal**

- 2.1 The site is an agricultural field located to the rear of 1-9 Ralphs Lane and the dwellings on the northern side of London Road. Hence, the application site is abutting, but outside the Boston development boundary in the Parish of Wyberton. Wyberton Parish Hall is located to the north east of the site. There is a mix of dwelling styles in the immediate locality comprising predominantly bungalows, however there are also chalet bungalows and two storey houses, some of which have been constructed very recently. The site is to the rear properties forming the junction of Ralphs Lane and the dwellings (almost all bungalows) on the northern side of London Road. Consequently, the area has a semi urban characteristic to the front with a very rural feel to the site itself and entrance to the site on Ralphs Lane which is characterised by open fields interspersed with dwellings.
- 2.2 The site includes an access point from Ralphs Lane which is the existing field access 115m from the junction with London Road (B1397). The site is an almost entirely flat agricultural field with no apparent constraints.
- 2.3 The application seeks outline consent for up to 30 dwellings with all matters reserved. The proposed access road to serve the development as well as the layout of the site is purely indicative. The dwellings would likely be predominantly detached although a small number of semi-detached properties have been included on the indicative layout. The majority of trees and shrubs forming the boundary of the site would be retained and supplemented by further planting.

## **3.0 Relevant History**

- 3.1 None.

## **4.0 Relevant Policy**

- 4.1 The development plan consists of the saved policies of the Boston Borough Local Plan 1999. 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.
- 4.2 The land is designated as countryside within the Adopted Local Plan 1999.
- 4.3 The saved Local Plan Policies of relevance to this application are as follows:
- G1 – Amenity
  - G2 – Wildlife and Landscape Resources
  - G3 – Surface and Foul Water Disposal
  - G4 – Safeguarding the Water Environment
  - G6 – Vehicular and Pedestrian Access
  - H3 – Quality of Housing Development
  - T2 – Roads and Footpaths in New Developments

- CO1 – Development in the Countryside

### **National Planning Policy Framework, 2018**

- 4.4 The Council does not have a 5 year supply of housing and therefore policies relevant to the supply of housing are out of date. The tilted balance in paragraph 11 of the National Planning Policy Framework (NPPF) is therefore engaged and on this basis there is a presumption in favour of sustainable development which presumes in favour of the grant of permission unless harm significantly and demonstrably outweighs the benefits of the scheme.
- 4.5 Paragraph 11 of the NPPF indicates for decision making, this means;
- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, (this includes development proposals involving the provision of housing in situations where the Borough Council cannot demonstrate a 5 year supply of housing) granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 4.6 Section 9 of the NPPF relates to transport issues. Paragraph 103 states:
- ‘The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making.’
- 4.7 Paragraphs 8 and 9 (Achieving Sustainable Development) set out three inter-linked dimensions and roles of sustainable development: economic, social and environmental. These three roles should not be undertaken in isolation because they are mutually dependent. Paragraph 78 of the NPPF encourages housing in rural areas where it will maintain or enhance the vitality of rural communities. However, isolated homes in the countryside should be avoided unless one or more of the circumstances listed within paragraph 79 apply.

## **South East Lincolnshire Local Plan**

### 4.8 Paragraph 48 of the NPPF states:

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### 4.9 It is anticipated that the South East Lincolnshire Local Plan will likely be adopted before the end of this year. Therefore the policies contained within this document are attracting increasing weight. Objections have not been received in relation to the settlement boundaries and therefore significant weight can be attributed to Policy 1 (Spatial Strategy) as set out within the Main Modifications. The site is not included within the village boundary within the South East Lincolnshire Local Plan (SELLP). Therefore 'Countryside' 'D' within Policy 1 applies which states:

"In the Countryside development will be permitted that 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."

## **5.0 Representations**

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

305 & 317 London Road  
20 West End Road, Wyberton  
No. 3, No. 7, Leaward, Walcott and Chapel Hollow, Ralphs Lane

### 5.2 The objections and comments can be summarised as follows;

- Retain the existing hedges forming the existing boundary and whilst bungalows would be preferable, limit to two storey dwellings as a maximum.
- Existing housing estates under construction (Quadrant, Windmills and other sites in Kirton and Frampton) are yet to be completed. Is it necessary to build more homes which will further increase pressure upon roads, schools, doctors and dental surgeries and hospitals?
- If approved, would it be an unfinished building site for years?
- Whilst small by modern standards, the field has produced a crop for at least the last 30 years.
- The access is between houses and close to a junction on Ralphs Lane which sees drivers approaching quite often at excessive speed.
- The proposed dwellings will overlook the properties on Ralphs Lane.

- The proposed development is contrary to policies contained within the Local Plan. Granting permission would be inappropriate as it would go against the council's own guidelines.
- This site was classified as Wyb 007 under the South East Lincolnshire Local Plan but was rejected and classified as undevelopable.
- The proposed development would detrimentally affect the character of the area which is essentially rural.
- The majority of existing dwellings are bungalows and given the proposed dwellings will be subject to a 1m floor raise, the two storey dwellings would result in overlooking issues.
- The site does not drain well and I am worried about increased flooding to my property.
- There has been ample opportunity to challenge the emerging South East Lincolnshire Local Plan (SELLP) rather than submitting a speculative planning application.
- Several nearby sites including this one were rejected in the assessment of the emerging SELLP as unsuitable for housing and it indicates that the sites are not considered by the council to be in a general location for new housing.
- To accept this site would set a precedent for similar applications and specifically the next field, Wyb006.
- The easement of the internal drain could result in an area that would represent a health and safety risk as well as attract anti-social behaviour and is only apportioned as open space to mitigate against the limitations of the site.
- The proposed management company to manage the open spaces is likely to result in future conflict and difficulties.
- As an agronomist I can debunk the theory that the land is not suitable for agricultural use. This grade I agricultural land has supported a wide range of crops over at least 30 years including cereals, sugar beet, Brassicas, bulbs and peas.
- I have followed the emergence of the South East Lincolnshire Local Plan with interest and have been impressed with the thoroughness and professionalism with which officers have conducted the process, having spoken to several of them at various public exhibitions and ask the council to support their planners and make consistent planning decisions to be made for the benefit of the borough and not set precedents in the future.

## **6.0 Consultations**

6.1 Wyberton Parish Council has advised they are not in a position to provide a comment.

6.2 County Highways Authority has no objection in principle but has requested that conditions are attached relating to: -

- The number of parking spaces (namely two spaces for dwellings with no more than three bedrooms and three spaces for dwellings with four or more)
- Access and roads to be constructed within the limits of the existing highway and in accordance with highway standards
- No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority.

- 6.3 Lincolnshire Lead Local Flood Authority raise no objections in principle but has requested that a condition is attached relating to surface water drainage.
- 6.4 Environment Agency raises no objection subject to a number of conditions and advise their response only covers the risk of flooding from fluvial and tidal sources.
- 6.5 Black Sluice Internal Drainage Board raised no objections and provided advice regarding consents that would be required from the Board. That advice was also sent to the applicant and agent.
- 6.6 Anglian Water (AW) confirmed that it has no assets within the application site. In terms of wastewater treatment AW stated that 'the foul drainage from this development is in the catchment of Frampton Water Recycling Centre which currently does not have capacity to treat the flows the development site. Anglian Water are obligated to accept the foul flows from the development with the benefit of planning consent and would therefore take the necessary steps to ensure that there is sufficient treatment capacity should the Planning Authority grant planning permission.'

Moreover, there is capacity within the sewerage system to accept used water. AW does not comment on surface water disposal as it has no assets that will be affected by the proposed development. Therefore, AW raises no objections.

- 6.7 Lincolnshire County Council's Strategic Development Officer (Education) seeks a Section 106 contribution of £171,042 based on a formula calculated on the estimated impact upon primary and secondary schools and sixth form provision. Specifically, the contribution will be spent on the following: -
- Wyberton Primary £67,658 towards a ninth and tenth classroom
  - Haven High School (Tollfield Campus) Secondary £84,957 towards four additional classrooms
  - Boston Grammar School Sixth Form £18,427 towards a new sports hall

The applicant has agreed to the requested s.106 contribution (£171,042) in the event that the application is approved.

- 6.8 NHS England does not wish to seek a s106 contribution for 30 dwellings on this occasion.
- 6.9 Wyberton Parish Council wishes to make no comment.
- 6.10 Boston Borough Council's Environmental Health Manager wished to raise no objections.
- 6.11 Boston Borough Council's Housing Strategy and Standards Manager confirms that the 16.6% affordable housing would meet the Council's current requirements. A slightly different mix and tenure would be preferred and the Housing Authority would be willing to discuss this in the event that the application is approved.



## **7.0 Planning Issues and Discussions**

7.1 The main considerations are:

- Principle of the development
- Impact on the character of the locality
- Impact upon residential amenities
- Impact on highway safety
- Flood risk and drainage
- Sustainability
- Loss of agricultural land
- Weighing up

### **Principle of the development**

7.2 The Council published and updated its assessment in relation to its 5-year housing supply (Assessment of 5-year housing land supply as at 31 March 2018). Depending upon whether the Liverpool or Sedgefield method of calculating housing requirement is used, there is currently an oversupply using the Liverpool method or undersupply using the Sedgefield Method. However, the report identifies that until the housing identified within the emerging plan can be counted as contributing towards the housing land supply the Sedgefield method should be used. Therefore, the Borough does not have a five year housing land supply.

7.3 Policies are deemed out of date when the Council cannot demonstrate a five year supply of deliverable housing supply. The tilted balance in paragraph 11 of the National Planning Policy Framework (NPPF) is therefore engaged and on this basis there is a presumption in favour of sustainable development which for decision takers means:

- Approving development proposals that accord with an up-to-date development plan without delay; or
- Where there are no relevant development plan policies, or the policies which are most important for determining the application are out of date, granting permission unless:
- The application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development\*, or
- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.4 The Framework states that permission should be granted unless adverse impact would significantly and demonstrably outweigh the benefits; or that policies in it [the Framework] indicate development should be restricted. Thus the fact that the site is not allocated for housing within the Adopted Plan and the proposed development would be located outside of Boston's development boundary, does not necessarily make it unacceptable in principle. The NPPF therefore effectively replaces the housing supply policies in the Development Plan meaning that the weight to be attributed to Policy CO1 'Development in the Countryside' is negligible.

- 7.5 Paragraphs 8 and 9 of the NPPF set out the three inter-linked dimensions and objectives of sustainable development - economic, social and environmental which are required to be jointly and simultaneously achieved. However, the objectives are not criteria against which every decision should be judged. The sustainability credentials of the site are discussed below under 'Sustainability'.
- 7.6 The NPPF supports sustainable housing development in rural areas where it will maintain or enhance the vitality of rural communities.... and ...'Where there are groups of smaller settlements, development in one village may support services in a nearby village' (paragraph 78). In this case, the site is outside of the development boundary and therefore this aspect of the NPPF is not triggered and the development is therefore not considered to be infill development.
- 7.7 Paragraph 79 permits isolated homes subject to meeting one of five circumstances. The Framework does not define isolated, however the 2017 Braintree District Council High Court Judgement (Braintree District Council v (1) Secretary of State for Communities and Local Government, (2) Greyread Limited and (3) Granville Developments Limited [2017] EWHC 2743 (Admin)) considers that isolated should be taken as "far away from other places, buildings or people; remote". It is therefore not considered to be an isolated plot, as the site abuts the Boston development boundary and dwellings on London Road and Ralphs Lane, and therefore the circumstances identified do not apply. Notwithstanding this, the proposal does not fall within any of the criteria (e.g. dwelling for an agricultural worker, sub-division of an existing dwelling etc.) and the development would not be supported.
- 7.8 Policy G2 of the Local Plan seeks to resist development which would have an adverse effect on the existing landscape and Policy G1 seeks development which does not harm the general character of the area because of its scale, density, layout or appearance. These aims are consistent with the Framework and are addressed below.
- 7.9 The site is within the Parish of Wyberton and this geographical location is well served by a variety of services and facilities and services within Boston are accessible. This site is located outside of the defined settlement within both the Adopted Plan and also the South East Lincolnshire Local Plan which is currently out for consultation in relation to modifications. As such, the principle of up to 30 dwellings on this parcel of land is unacceptable as it is not able to meet the objectives of Local Plan policies and/or the NPPF. However, it is necessary to fully assess the proposal to establish if 'other material considerations' indicate that planning permission should be granted.

#### **Impact on the character of the locality**

- 7.10 The site comprises approximately 1.6ha of land, located outside but abutting the Boston development boundary. The site sits behind housing to the south and with open arable fields to the north and west. The application site is currently served by a field access located between No.9 and 'Leaward' on Ralphs Lane. The layout and design of the housing, through the reserved matters application if outline permission is granted, can be controlled so that they are reflective of bungalows and houses in the immediate area, together with appropriate soft landscaping to retain the countryside feel of the location.

- 7.11 The indicative plans show the dwellings and the width of the plots of a comparable size to one another and the existing site boundaries would be retained. The depth of the rear gardens of the proposed new dwellings is quite generous compared to many residential developments that have been submitted over the last ten years. Each dwelling would still provide with a good amount of outdoor amenity space and separation distances between existing and propose dwellings within the development. In terms of housing density, the proposed site would result in 18.75 dwellings per hectare (dph) and is broadly comparable with the density of the nearby surrounding residential development (14.5 dph).
- 7.12 In relation to its wider impact, Policy G1 identifies that for development to be approved, it should not substantially harm the amenities of other near residents or the general character of the area due to its nature, scale, density, layout, appearance or level of traffic generation. The impact upon residential amenity is discussed in the next section below.
- 7.13 In relation to the character of the wider streetscene, the site is largely screened by existing dwellings on two sides, namely London Road and Ralphs Lane. However, the site is completely open on two sides to open arable fields. Unless those fields are developed in the future, no realistic amount of landscaping and screening will mitigate against the likely detrimental impact upon this rural character of this area.
- 7.14 The dwellings on Ralphs Lane and London Road almost all have good-sized rear gardens, the majority of which culminate in either timber fencing and / or high, thick and mature hedging ranging between 2 and 4m in height. The overall character is therefore rural although the existing dwellings do have an urbanising effect.
- 7.15 Whilst the proposal is in outline, indicative plans of the layout, scale and landscaping have been submitted. The plans indicate that existing hedging would be retained and supplemented by further planting. The indicative layout plan includes an internal estate road and footpath, one area of public open space forming the easement to the internal drain to the rear of the site and a further small pocket of open space in the heart of the development. The development would also be served by an attenuation pond in the north-west corner where flood risk hazard is highest as well as swales to aid surface water drainage. In the event of an approval, the possible landscape alterations would result in a very good site layout, as landscaping is a matter for later consideration it cannot be guaranteed that the development would be implemented as shown if permission is granted.
- 7.16 The dwellings would result in a dramatic change to the character of the area together with the urbanising of the field access. The indicative dwellings, regardless of height would be prominent, particularly as the entire site would be raised 1.0m to mitigate against flood risk. As scale is not a consideration of this application, the dwellings could be designed to be lower and less prominent. However, they would need to be at least 1.5 to two storeys in height to comply with Environment Agency's requirements. Notwithstanding the above considerations, this is a semi-urban but still a predominantly rural location where dwellings are well spaced from one another in a linear development with open fields to the rear. As such, adding a further 30 on a small housing estate would completely alter the character of the area by adding built form where there is

currently none. In addition, the activity associated with 30 additional dwellings would increase with comings and goings of people and vehicles which would also have impact on the character of the area. Policy G1 addresses amenity and states that permission will be refused when there is substantial harm. It is concluded from the above discussion that there would be harm resulting from housing development on this site and the harm would be substantial.

### **Impact upon residential amenities**

- 7.17 There are residential properties which share a boundary with the site to the east and south. The application seeks outline permission for residential development with all matters reserved although an indicative site layout plan and access has been included. A Design & Access (D&A) Statement shows an indicative design taking account of the flood risk of the land. The flood risk identifies the buildings would need to be sited so that they are not at risk of the 1.0m – 1.6m (above ground level) flood depths. The site layout plan is purely indicative and should planning permission be granted, the full impact of the layout, scale and design of the building could be taken into account at reserved matters stage. The distances shown between the existing and proposed dwellings is generally in excess of 40 metres (rear to rear relationship) which is in itself very reasonable subject to later considerations regarding overlooking. However, it would be reasonable to agree parameters, via a condition, relating to the heights of these buildings if planning permission is granted. In broad principle, the relationship between the proposed dwellings and existing dwellings is considered acceptable.
- 7.18 The indicative plans show 30 dwellings could be sited on the land, and with appropriate parameter conditions, maintain the existing amenity adjoining occupiers currently enjoy. Subject to a good quality scheme submitted at reserved matters stage, the site is large enough to satisfactorily accommodate a sensitively designed residential development without causing substantial harm to residential amenity.

### **Impact on Highway Safety**

- 7.19 Vehicular and pedestrian access to the proposed dwellings will be from Ralphs Lane and would require improvements to the existing field access. Lincolnshire County Council Highways has assessed the proposal and wish to raise no objections subject to conditions.
- 7.20 The indicative (and existing field) access is located on Ralphs Lane 115m from the junction with London Road where the speed limit is 40mph. The vast majority of the written representations received highlight the likely significant impact the development would have upon highway safety given its proximity to the junction with London Road. The County Highways Authority has not raised objections subject to conditions.

### **Flood Risk and Drainage**

- 7.21 The application site is in an area identified as being within Environment Agency Flood Zone 3, a 'danger for all/danger for most' flood hazard and within a medium tidal probability of flooding. A separate Flood Risk Assessment (FRA) has been

submitted and has been assessed by the Environment Agency. The Agency wishes to raise no objections subject to conditions.

- 7.22 The proposed 1.0m site level raise would have a significant effect upon the overall appearance of the proposed development and the character of the area. As discussed earlier, in the event of an approval, this impact could be limited and mitigated to a certain degree through conditions restricting the number and maximum height of dwellings.
- 7.23 With regards to surface water drainage, the indicative layout includes an attenuation pond and swales in addition to the internal drains forming the site's northern and western boundaries.
- 7.24 The Black Sluice Internal Drainage Board's letter provides advice regarding the discharge of water. It would be reasonable to attach a copy of the letter to any decision notice for any future developer's attention.

### **Sustainability**

- 7.25 The Framework sets out three dimensions and roles of sustainable development - social, economic and environmental. Paragraphs 8 and 9 of the Framework explain that these three roles are interdependent and need to be pursued in mutually supportive ways. Paragraph 9 of the 2018 NPPF has changed the criteria for consideration into sustainable development compared to the 2012 version where it states that the objectives in paragraph 8 are "... not criteria against which every decision can or should be judged...".
- 7.26 Economic objective – the proposed construction of up to 30 dwellings would provide a contribution. Employment would be provided at construction stage which may support local businesses and the local economy, in addition to when the dwellings are occupied.
- 7.27 Social objective – the proposal would provide up to 30 additional houses, five of which would be affordable units. The NPPF identifies the social objectives as provision of a sufficient number and range of homes, safe and well-designed development, accessible services and open space that support communities' health, social and cultural well-being. The proposal would contribute towards the provision of housing which, in view of failing to meet the 5-year housing land supply has significant weight attached. Conditions can be attached to any approval to ensure they are well-designed and safe. They would benefit from having private gardens as well as access to the countryside. There are accessible services within this area of Wyberton parish and whilst this development is outside Boston development boundary, it is not considered to be significantly different in transport terms to warrant a refusal on this ground.
- 7.28 Environmental objective seeks to make effective use of land, improve biodiversity, minimise waste and pollution, mitigating and adapting to climate change. The proposed development would have a significantly adverse impact on the local environment given the site is rural in character and in use as an arable field. Thus, the application does not meet the environmental thread of sustainability.

## **Loss of agricultural land**

- 7.29 The DEFRA database that the Council has access to, indicates the entire site as Grade 1 agricultural land. It is known however that the DEFRA database is unrefined and rarely indicates variations within a site.
- 7.30 The NPPF seeks to protect areas of higher quality land by developing areas of poorer quality where development is demonstrated to be necessary. Policy G9 which seeks to protect the best and versatile agricultural land from development is not a saved policy.
- 7.31 It is inevitable, given the quality of land around this district, the lack of available housing sites and the very limited number of brownfield sites that may become an allocation, that new housing development will use agricultural land, some of it being grade 1 or grade 2. The site is not statutory Green Belt. There are no statutory Green Belts in Lincolnshire.
- 7.32 It is not considered that the loss of this relatively small area of agricultural land would be sufficient to warrant refusal of this application.

## **Weighing Up**

- 7.33 In accordance with the NPPF, applications should be approved unless policies in the Framework protect areas or assets of particular importance and provide clear reasons for refusing the proposed development or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework as a whole.
- 7.34 The Council does not have a 5-year housing land supply and therefore significant weight needs to be attributed to this. However, the site is not an allocated housing site in either the adopted or draft local plan. The site immediately abuts the Boston development boundary in both the adopted Local Plan (1999) and emerging SELLP and in terms of the economic and social strands is considered to be sustainable development. However, sustainable development must satisfy all three strands, commonly referred to in planning as the 'three-legged stool'. In terms of the environment, the approval of permission in this location would lead to harm in terms of its detrimental impact upon the rural character of the area when assessed against the Framework policies as a whole. It is therefore concluded the proposal significantly and demonstrably outweighs the benefits.

## **8.0 Summary and Conclusion**

- 8.1 The Framework indicates that housing applications should be considered in the context of the presumption in favour of sustainable development, adding that housing applications should be approved if the authority cannot demonstrate a 5-year housing supply unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole or specific policies in the Framework indicate such developments should be restricted.
- 8.2 It is considered that this development would have a materially harmful effect on the rural character of the area due to its location outside of the Boston

development boundary. Whilst this area of Wyberton parish offers some of the facilities and amenities future occupiers of the proposed dwellings would need, the occupiers of the dwellings would still need to travel to access key services, employment and shops, which is a minor factor against this application. Balanced against this is Policy 1 within the SELLP which state that new housing developments outside of development boundaries should be resisted. It is accepted that the site abuts the Boston development boundary and is close to some facilities and amenities and other key facilities being accessible by public transport and bicycle.

- 8.3 However, overall it is considered that the adverse impacts are significantly and demonstrably harmful and are not outweighed by the benefits of approving this application.

## **9.0 Recommendation**

- 9.1 It is recommended that Committee REFUSE Planning Permission for the following reasons -

1. The proposed development, by virtue of the location outside of the defined village boundary together with the addition of 30 dwellings when compared to the existing character of the area would result in an urbanising effect which would have significant and demonstrable harm to its rural setting. The proposal is therefore contrary to Boston Borough Local Plan Policies C01 and G1, South East Lincolnshire Local Plan 2011-2036 Policy 1 and the National Planning Policy Framework 2018, paragraphs 78 and 79 which seek to resist new dwellings unless the harm is outweighed by the benefits. The proposal, due to its location is also considered to fail to meet the aims of sustainable development as defined in paragraph 8 and 9 of the National Planning Policy Framework 2018 by introducing built form outside of development limits.

Refused Drawing Numbers: 261-PLN-E-00 Site Location Plan (1/2)  
261-PLN-P-01 Master Plan (2/2)

In determining this application the authority has taken account of the guidance in paragraph 38 of the National Planning Policy Framework, 2018 in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the Borough.

**Lisa Hughes**  
**Growth Manager**