

BOSTON BOROUGH COUNCIL

Planning Committee – 15 January 2019

Reference No: B/18/0503

Expiry Date: 01-Feb-2019

Application Type: Approval of Reserved Matters

Proposal: Application for the approval of reserved matters (access, appearance, landscaping, layout and scale) following outline approval B/17/0093, for the erection of detached two storey dwelling

Site: Land adjacent to 122 West End Road, Wyberton, Boston, PE21 7LP

Applicant: Mr Steve Johnston

Agent: Mr Simon Robinson, Studio 21 Design Ltd

Ward: Wyberton

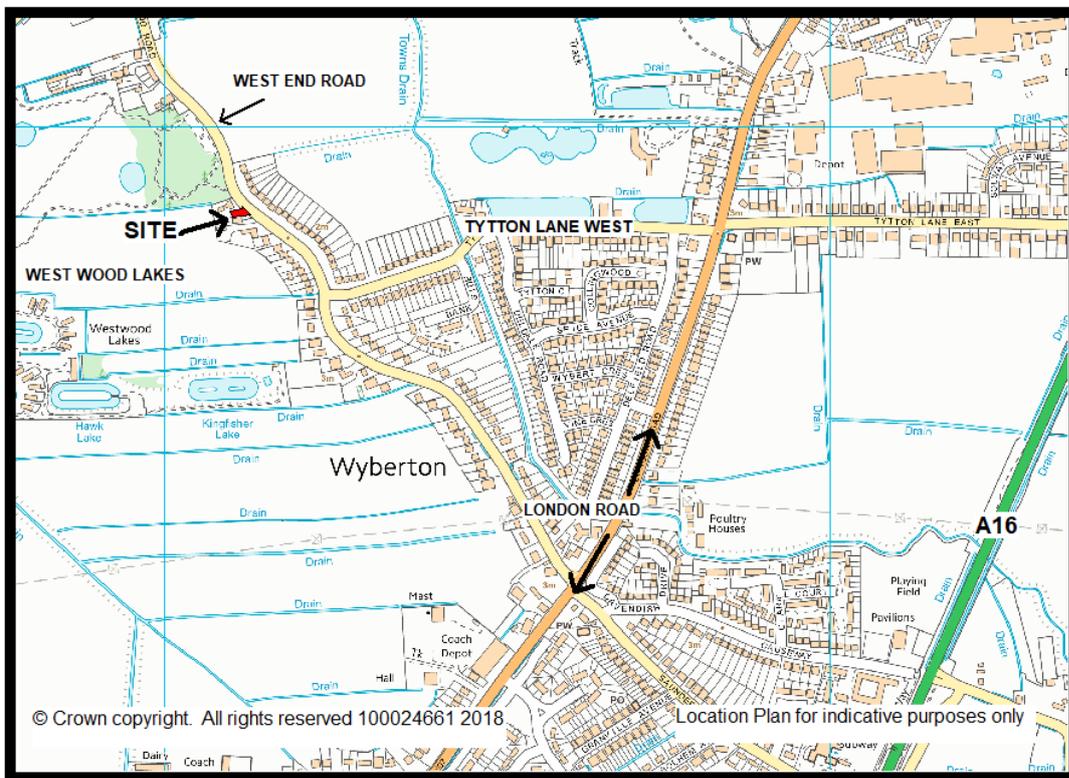
Parish: Wyberton Parish Council

Case Officer: Stuart Thomsett

Third Party Reps: None

Link to Planning Record: [B/18/0503](#)

Recommendation: GRANT



1.0 Reason for Report

- 1.1 This application is presented to Planning Committee as the applicant works in the Development Management section at Boston Borough Council.

2.0 Application Site and Proposal

- 2.1 The application site is an irregular shaped parcel of land which, until recently formed the side garden to 122 West End Road. This site also shares a side boundary to 120 West End Road to the south. The site is approximately 0.03 hectares and is fully enclosed to the sides and rear by virtue of 2m high close boarded fencing. The remainder of the side garden and ornamental pond associated with 122 West End Road is located beyond the fence forming the western boundary of the plot with views to Westwood Lakes.
- 2.2 No. 122 West End Road is a detached dwelling with a large rear and side garden. The northern and western boundaries of the property overlooks open arable fields, Westwood Fishing Lakes and Jenny's Wood. The site has a frontage of 23m which narrows to 11m at the proposed rear boundary. All four mature trees and privet hedging at the front of the site have been removed to facilitate new access and visibility splays. The site is positioned on a shallow bend just after the highway speed limit is restricted to 30mph.
- 2.3 The site and surroundings are within the settlement boundary of Boston and within an area identified as having a high probability of flood risk (Zone 3a) and danger to most according to the Strategic Flood Risk Assessment (SFRA).
- 2.4 This application seeks an approval of reserved matters (access, appearance, landscaping, layout and scale) following outline approval B/17/0093, for the erection of a detached two storey dwelling.

3.0 Relevant History

- 3.1 B/17/0093 Outline planning permission was granted with all matters reserved (appearance, landscaping, access, layout and scale) for residential development (one plot).

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 inside the Boston development boundary within the adopted Local Plan 1999 and draft South East Lincolnshire Local Plan 2011-2036 (SELLP).

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

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 2011-2036

- 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 early 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 included within the Boston development boundary within the South East Lincolnshire Local Plan (SELLP). Boston is categorised as a 'Sub-regional Centre' as part of the SELLP's Spatial Strategy. Therefore, 'Sub-regional Centres' within Policy 1 applies which states:

'Within the settlement boundaries of Boston and Spalding (as shown on the Inset Maps) development will be permitted that supports their roles as Sub-Regional Centres.'

5.0 Representations

- 5.1 As a result of publicity, no representations have been received. Any representations received prior to Planning Committee will be reported verbally and form part of overall considerations.

6.0 Consultations

- 6.1 No responses have been received to date. Any responses from the following consultees will be reported verbally at Planning Committee: -
Wyberton Parish Council, County Highways Authority, Lead Local Flood Authority and Black Sluice Internal Drainage Board.

7 Planning Issues and Discussions

- 7.1 The principle of residential development on this site has been established by the outline approval identified above. Thus, the main considerations are whether the layout, appearance, scale, landscaping and access of the dwelling as proposed by this application are acceptable given the objectives of Local Plan policies and the NPPF.

Layout

- 7.2 The dwelling would be sited approximately 6 - 11 metres from the back edge of the footpath. It would span almost the entire width of the plot with a 1m wide (1.2m wide gap) footpath on the north side (No.122) leading to the proposed patio with a 2.4m gap reducing to 0.7m on the south side (No.122). Golden gravelled driveway and parking would be provided to the front as well as an area of soft landscaping. To the rear, space is provided for a small garden and private patio area, the depth of which varies between approximately 6 to 7 metres. However, the existing garden retained by the owners of No. 122 and the open fields beyond create a more open feel than the mere dimensions would appear to provide.
- 7.3 Internally, the layout provides well-designed accommodation and space for future occupiers. Accommodation comprises an open plan lounge, dining area and kitchen/breakfast room with bi-fold doors opening on to patio and rear garden in addition to separate utility and playroom at ground floor. At first floor (served entirely by rooflights) is a master bedroom with en-suite and dressing room and two further bedrooms and a family bathroom.
- 7.4 The layout is therefore considered to be acceptable, meeting national and local plan policy objectives.

Scale

- 7.5 The proposal is for a two storey detached house. Its maximum height to the ridge would be 8 metres and 4.3 metres to the eaves. With both adjoining dwellings on West Road being two storey, the scale of the house would be commensurate with those and other surrounding properties.
- 7.6 Scale includes its footprint. Whilst it would be sited close to both the side boundaries, its set back within the plot together with its height will assist in ensuring the property does not look cramped within the site.
- 7.7 In terms of its scale, the proposal is considered to comply with policy.

Appearance

- 7.8 This application includes appearance as a reserved matter and includes the external built form of the development, its architecture, materials, colour and texture and also includes the design and position of windows, doors etc.

- 7.9 The NPPF indicates that *'the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.'*
- 7.10 The designs, ages and materials of dwellings surrounding the site are varied and there is no distinctive 'style' in the area. Nos. 120 and 122 are both two storey to the immediate north and south of the property. Whilst the design of the proposed dwelling is modern, the key issue here is context and whether the appearance of the dwelling will assimilate within the pattern and character of the surrounding built environment.
- 7.11 The house is proposed to be set back from the highway retaining the relatively former open feel of the site prior to the clearance of trees. It is a modest height at 8 metres, and with the proposed materials, Hanson Chatsworth multi red brick and natural slate roof tiles reflective of the semi-rural, semi-urban location. It represents a good standard of architecture and interest is provided with architectural features such as stone cills and splayed arches for heads, feature entrance porch, date plate and dummy central window. The grey aluminium windows and doors also reflect the contemporary design. The standard compliance condition (1) will mean that in the event that the applicant wishes to use alternative materials to those shown on application drawing no. 12-404-02, it will be necessary to receive approval from the Local Planning Authority first.
- 7.12 'Appearance' also includes issues relating to the design and position of windows and whether the insertion of such windows in any of the elevations of the proposed dwelling would cause overlooking and substantially harm residential amenity. No windows are included at first floor. One small window is proposed in each side elevation. Whilst neither will impact upon levels of privacy of the adjoining properties due to the existing timber fence, the window to the south facing No. 120 will be obscure glazed, whereas the window to the lounge is a secondary window with the principal window or rather bi-fold doors facing the rear garden. Thus, the amenity is considered to be acceptable to both adjoining properties (120 and 122 West End Road).
- 7.13 The design of the proposed dwelling, although not exactly the same as other dwellings in the locality it can be argued that the development would continue the evolution of design in the area without disrupting any prevailing local distinctive characteristic.
- 7.14 On this basis, it is considered that the proposed design and external appearance of the proposed dwelling is acceptable and would not cause substantial harm to the character or amenity of the area.

Landscaping

- 7.15 This application includes landscaping as a reserved matter which includes both hard and soft landscaping i.e. planting of trees, hedges, shrubs or grass, fencing and surface materials.
- 7.16 The site has been cleared of landscaping, predominantly in the form of mature trees following Outline consent being granted. The submitted landscape plan shows the locations of proposed tree and shrub planting, lawn to the rear and hard surface materials. The proposed landscaping scheme includes the planting of additional trees and shrubs within the front and rear gardens. Three soakaways would also be provided within the front, in addition to one to the rear. The driveway and parking area will be constructed using 25mm golden gravel atop a hardcore bed and is thus permeable. This would be enclosed by a low rendered or painted block wall the front (eastern side elevation) of approximately 900mm, between brick columns at approximately 1m high. The 2 metre high close boarded fence to all other boundaries has already been erected.
- 7.17 Overall, the landscaping is considered acceptable. It is not considered necessary to agree the species of trees and shrubs via condition or impose a condition that would require replanting if they die within 5 years as on this particular site, the degree and type of planting can be left to the discretion of the applicant.

Access

- 7.18 Drwg no. 12-404-02 includes the block plan showing the proposed dwellings to be accessed directly from West End Road. The access will be 6m wide.
- 7.19 With regard to issues of highway safety, the County Highways Officer wished to raise no objection at Outline stage. All four mature trees and privet hedging at the front of the site have been removed to facilitate new access and visibility splays. The site is positioned on a shallow bend just after the highway speed limit is restricted to 30mph. West End Road has good visibility at this point. It is considered that the addition of one dwelling with more than adequate area to park and manoeuvre in order that cars can enter and leave the highway in forward gear would not cause undue highway hazard within this road.

Flood Risk

- 7.20 As this is a non-major application, the Local Planning Authority is advised to follow the guidance as set out in the South East Lincolnshire Flood Risk Matrix. The site is within a location which has a 'danger to most' flood risk rating.
- 7.21 As the floor levels proposed in this application are only 500mm above existing ground level rather than 1m as required by condition on the outline permission, Committee should be aware that this recommendation is made contrary to the Environment Agency's (EA's) guidance which states that the 2115 breach depth is around 1m. Thus, the EA considers that compliance with the condition is necessary.

The EA did not comment at the outline stage.

- 7.22 It must be remembered that issues pertaining to flood risk are one of several material considerations which must be apportioned an appropriate level of weight in the planning balance. The issue of the detrimental impact that floor raises in excess of 500mm can have upon the existing streetscape and general character of the area resulting from infill development has been discussed with Planning Committee Members on many occasions. There are several examples of unsympathetic design in the Borough where 1m floor raises have been approved and implemented. The design of this house has been very well considered and would fit seamlessly into the existing streetscape with an 8m ridge height that is commensurate with the adjoining properties. Therefore, Members are advised to approve the proposed flood risk mitigation measures which still represent significant betterment whilst resulting in a design which respects the existing built environment.

8 Summary and Conclusion

- 8.1 The principle of residential development on this site consisting of one dwelling has already been established by the outline approval detailed above. The reserved matters under consideration relate to the access, layout, appearance and scale of the dwelling and the landscaping of the site.
- 8.2 It is considered that this scheme is acceptable subject to the conditions set out below. It should be noted that any approval granted for this application does not change the status of the outline approval and the conditions which are attached, remain valid. The only condition which has been varied by this application relating to flood risk mitigation has been re-imposed with a reduced floor level raise, namely 500mm rather than 1.0 metre.

9 Recommendation

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

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:
- Site Location Plan, Drwg no. 12-404-03
 - Block Plan, Elevations, First Floor Plan, Visuals Drwg no. 12-404-02
 - Elevations, Ground Floor Plan, Visuals Drwg no. 12-404-01 rev D

Reason: To ensure the development is undertaken in accordance with the approved details and to accord with Policy G1 of the Boston Borough Local Plan 1999.

- 2 All finished floor levels shall be set no lower than 500mm above existing ground level and flood resilience and resistance measures shall be incorporated into the proposed development up to a height of 300mm above the predicted flood depth, as stated in the Flood Risk Assessment submitted with Outline Planning Application B/17/0093.

Reason: To reduce the risk and impacts of flooding to the development and future occupants and to accord with the Boston Borough Local Plan 1999 Policies G1 and G3.

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.

Informative

1. The applicant is advised to refer to the following document for information on flood resilience and resistance techniques to be included: 'Improving Flood Performance of New Buildings - Flood Resilient Construction' (DCLG 2007).

Lisa Hughes
Growth Manager