

# BOSTON BOROUGH COUNCIL

## Planning Committee - 12 February 2019

Reference No: B/18/0502

Expiry Date: 31-Jan-2019  
Extension of Time: 13 February 2019

Application Type: Outline Planning Permission  
Proposal: Outline application for residential development (up to 4 dwellings) with all matters reserved for later approval.

Site: Land west of Millview, Donington Road, Kirton End, Boston, PE20 1NX

Applicant: Mr Carl Bates  
Agent: Mr Chris Dwan, DLP (Planning) Ltd

Ward: Kirton & Frampton

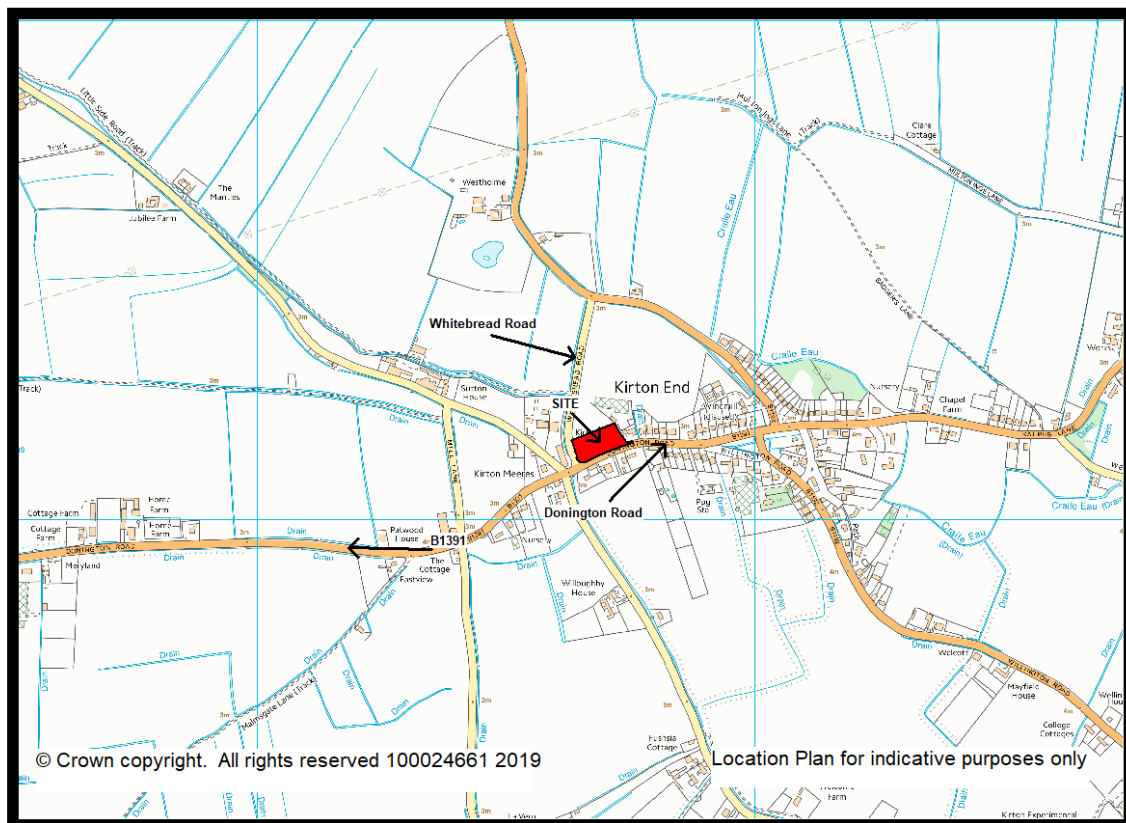
Parish: Kirton Parish Council

Case Officer: Trevor Thompson

Third Party Reps: Five

Link to Planning Application: [B/18/0502](#)

**Recommendation: REFUSE**



## **1.0 Reason for Report**

- 1.1 This application has been presented to the Planning Committee given the planning history relating to the site and the sensitivity of the proposed development. An application for a similar scheme on part of the site was determined by the Planning Committee in November 2018.

## **2.0 Application Site and Proposal**

- 2.1 The application site occupies about 0.48 hectares of agricultural land. The majority of the site is located within countryside as defined in the Boston Borough Local Plan and mainly outside the settlement boundary of Kirton End. The site is located to the west of this settlement, towards the junction of Donington Road and Whitebread Road.
- 2.2 The site's southern boundary fronts onto Donington Road and the site's western boundary fronts onto Whitebread Road. The site forms part of a larger agricultural field and the northern boundary of the site does not follow any physical feature. Further to the north, there is a large glasshouse that forms part of the Millview Nursery and beyond the glasshouse lie agricultural fields. Immediately adjacent to the site to the east, there is a dwelling known as 'Millview' that forms part of the Millview Nursery.
- 2.3 There are residential properties within the immediate vicinity of the site, on the opposite side of Donington Road to the south and either side of the site, to the east and west.
- 2.4 The application seeks outline planning permission for residential development of up to four dwellings with all matters reserved for later approval.
- 2.5 The application is accompanied by an indicative layout plan that shows how the site could be developed. It is proposed to construct a new vehicular access off Donington Road to serve this development plus a new estate road. Given flood risk constraints, it is proposed to raise the ground floor levels of the proposed dwellings 0.5m above average ground levels.

## **3.0 Relevant History**

- 3.1 The submission of this application follows the refusal of a previous outline application for the erection of up to eight dwellings with all matters reserved for later approval on part of the current application site (ref B/18/0346). The previous application related to a site occupying 0.96 hectares that includes all the land subject to the current application and land to the north of this site. The application was refused by Committee at the meeting held on the 13<sup>th</sup> November 2018 for the following reason:

*1 The application site is located outside of the settlement boundary of Kirton End as defined in the Boston Borough Local Plan and within an area defined as 'countryside'. This development will extend the built up area of the village creating an awkward and alien encroachment within this flat, rural landscape. The development would also consolidate the surrounding urban environment with the existing residential and commercial development to the west and the resultant*

*effect would substantially erode the character and appearance of the countryside and open rural landscape. This scheme will therefore promote an unsustainable pattern of development in this area and any benefits the development may provide relating to the supply of housing in the area and local economic benefits would be significantly and demonstrably outweighed by its adverse effects. The application is therefore contrary to the objectives of Boston Borough Local Plan 1999 policies C01, G1 and G2 and Policy 1 of the emerging South East Lincolnshire Local Plan 2011-2036 and the environmental dimension of sustainable development as contained within the National Planning Policy Framework (2018).*

- 3.2 The applicant has now appealed against this decision. No decision has yet been made on this appeal.
- 3.3 In 2003 an application for residential development on part of this current application site was refused. The application was for four residential plots fronting Donington Road. The application was refused given the site's location within countryside and outside of the settlement boundary. It was considered that the application was contrary to Local Plan policies C01 and C013 ( ref B/03/0525).

#### **4 Relevant Policy**

##### **Boston Borough Adopted Local Plan**

- 4.3 The development plan consists of the saved policies of the Boston Borough Local Plan (Adopted 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.
- 4.4 The land is in agricultural use and is mainly outside the village envelope of Kirton End as identified in the Boston Borough Local Plan. The majority of the land is therefore designated as countryside in the Local Plan. A very small part of the site is within the settlement boundary where it is proposed to link the proposed footpath serving the proposed development to the existing footpath along Donington Road.
- 4.5 The saved Policies within Boston Borough Local Plan 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

##### **South East Lincolnshire Local Plan (2011-2036) (SELLP)**

- 4.6 As with the Boston Borough Local Plan, the majority of the site is outside the Kirton End village envelope as identified in the South East Lincolnshire Local Plan though a small part of the site is within the settlement limits where it is proposed to link the proposed footpath to the existing.

4.7 Kirton End is defined as ‘Other service centre and settlement’ within the South East Lincolnshire Local Plan. It is anticipated that the South East Lincolnshire Local Plan will likely be adopted in the near future. Therefore, the policies contained within this document are attracting increasing weight. Objections have not been received in relation to the settlement boundaries and therefore weight can be attributed to Policy 1 (Spatial Strategy) as set out within the Main Modifications. This policy allows development within settlement boundaries that supports its role as a service centre for the settlement itself, helps sustain existing facilities or helps meets the service needs of other local communities. It adds that development will normally be limited to committed sites and infill. Thus, the fact that the majority of the site lies outside the village envelope of Kirton End as identified in the SELLP attracts significant weight.

4.8 Part D: Countryside of Policy 1 also applies and 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.”

4.9 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).

### **National Planning Policy Framework**

4.10 At the heart of the 2018 National Planning Policy Framework (NPPF) is a presumption in favour of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and should not be taken in isolation. These overarching objectives are economic, social and environmental. The sustainability credentials of this development with regard to these three objectives are discussed in detail further below.

4.11 Paragraph 9 of the Framework indicates that:

‘These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area’.

4.12 Paragraph 11 of the NPPF indicates that plans and decisions should apply to a presumption in favour of sustainable development. It adds that 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, 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.

4.13 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 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.

4.14 With regard to rural housing, paragraph 78 of the NPPF is relevant. It indicates that 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

4.15 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.'

## 5.0 **Representations**

5.1 As a result of publicity five representations have been received including one from a local objection group known as KEROTD (i.e. Kirton End Residents Opposed to Development).

5.2 As Members may recall, KETROD submitted objections relating to the previous application. At that time, the letter was submitted by the occupier of 'The Bridge', Donington Road and represented the occupiers of 'Bridge House', 'The Bridge', 'Sunnycroft' and 'Kefs', Donington Road. Although the current letter from KEROTD is from 'residents represented by KEROTD' it is not known whether KEROTD still represents the same residents.

An email dated 22<sup>nd</sup> January 2019 was sent to KEROTD requesting this information but no such information has been submitted. It is for Members to decide on the appropriate weight to be applied to the contents on the representations received from KEROTD in the determination of this application.

5.3 The four other individual letters of representation are from the occupiers of the following properties:

- 261 Willington Road, Kirton End
- 255 Willington Road, Kirton End
- Kefs Donington Road, Kirton End
- The Bridge, Donington Road, Kirton End

5.4 The letters of objection which may be summarised as follows:

- Loss of grade 1 premium agricultural land
- Impact on the character of the countryside and rural life
- Infrastructure will not cope with extra inhabitants
- Reason for refusal of previous application still applies
- No need to build more dwellings in this settlement
- Concerns about impact on infrastructure, transport and agricultural land
- No suitable land for expansion of Kirton End
- Development will set a precedent to allow extensive building on green field sites with no supporting infrastructure
- There are no facilities or public transport in Kirton End which make it suitable for expansion
- Concerns regarding road safety- proposed access is adjacent to four others.
- Track into the field between 'Kefs' and 'Jackwyn' used mainly by contractors
- Traffic from east to west on Donington Road is frequently significantly in excess of 40mph speed limit
- High percentage of traffic is larger vehicles, agricultural and haulage often requiring more than half of the road
- Parking along Donington Road is virtually impossible
- Site is outside the village envelope
- SELLP unlikely to support this development

The objection from KEROTD states;

*'1 Prior objections to & refusals of planning applications B/03/0525 & B/18/0346. The residents regard B/18/0502 as a hybrid of B/03/0525 & B/18/0346, and therefore it pertains the legacies, errors and issues of both.*

*2. B/18/0502 represents the first stage to the later realisation of B/18/0346 – through successive application, at a later stage: a) The residents cite the lack of communication from LCC Highways as confirmation that B/18/0502 is indeed regarded as a preliminary step to B/18/0346; b) The residents cite Para 4.5, page 9 of the Transport Statement "The initial cul-de-sac to serve 4 properties". If the intention for a cul-de-sac is to serve 4 properties, why would it be described as "initial", unless it was intended at the outset to lead to further development? c) Is there an intention to suggest that the remainder of the B/18/0346 plot would be unprofitable to farm, if B/18/0502 is approved?*

3. Kirton Parish Council refusal of B/18/0502 – “same objections apply as per B/18/0346 in that it is outside the village envelope, on prime agricultural land, not sustainable”.

4. The loss of grade 1 agricultural land, agricultural output and food supply.

5. The proposal plot is outside the Kirton End settlement boundary, in an area of countryside. Inclusion of footpath access within the Kirton End settlement boundary cannot circumvent this.

6. The proposal represents consolidation of the existing urban environment and erodes the open countryside, rural landscape and historical detachment of Kirtonend Bridge from the remainder of the Kirton End settlement.

7. The proposal will result in a uniform and alien build, representing gentrification and an awkward encroachment on the existing housing stock diversity.

8. The elevated height of the proposed dwellings severely threatens existing resident’s right to privacy, and will become a prominent, raised & alien feature on a flat, rural landscape.

9. The proposal provides no guarantees of provision for sustainable development’ in the area.

## **6.0 Consultations**

6.1 Kirton Parish Council state that ‘same objections apply as per B/18/0346 in that it is outside the village envelope, on prime agricultural land, not sustainable’.

6.2 County Highways Authority (also acting as Lead Local Flood Authority) has no objections.

6.3 Environment Agency say that the application should be assessed, in flood risk terms, with regard to the local flood risk standing advice. The Environment Agency has no objections to the previous application. This matter is discussed below.

## **7.0 Planning Issues and Discussion**

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

- Principle of development and policy interpretation
- Loss of agricultural land
- Density
- Impact on highway safety
- Impact on residential amenity
- Impact on the character and appearance of the countryside
- Sustainability
- Flood risk
- The planning balance

### Principle of development and policy interpretation

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 Sedgfield method of calculating housing requirement is used, there is currently an oversupply using the Liverpool method or undersupply using the Sedgfield 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 The NPPF supports sustainable housing development in rural areas. Although the Framework does not refer to settlement boundaries it does seek to recognise the character and beauty of the countryside. 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 substantially harm the general character of the area because of its scale, density, layout or appearance. These aims are consistent with the Framework.
- 7.4 As indicated above, the majority of the site is outside of the settlement boundary as defined in the Boston Borough Local Plan. Local Plan Policy C01 primarily seeks to resist development in the countryside unless supported by other Local Plan policies. A very small part of the site however lies within the settlement boundary as defined in both the Boston Borough Local Plan and the SELLP.
- 7.5 As indicated above the lack of a five year supply of housing land means that any Local Plan policies that are to do with housing supply are 'out of date'. The weight attached to such policies and their breach still falls to be determined in the planning balance.
- 7.6 The fact that the most of the proposed development would be located in the countryside does not necessarily by itself make it unacceptable in principle. Instead, such applications for housing schemes within countryside locations are now assessed more generally in relation to the objectives of Local Plan Policies G1 and H3 which resists development which will cause substantial harm to the amenity and character of an area. However, as indicated above, the application site is mostly outside of the Kirton End village settlement boundary as defined in the SELLP and significant weight should now be applied to SELLP Policy 1.
- 7.7 In terms of the principle of development, the main issues are therefore whether the proposed development would be acceptable having regard to policies concerning the location of new housing, whether it promotes a sustainable form/pattern of development and whether the development will harm the character and appearance of the area.

#### Loss of agricultural land

- 7.8 The application site covers over 0.48 hectares of agricultural land and concerns have been expressed by neighbours with regard to loss of agricultural land. Paragraph 170 of the NPPF advises that decisions should contribute to and enhance the natural and local environment, amongst other things by:
- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
  - b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.



- 7.9 There are no saved Local Plan policies to do with the protection of agricultural land.
- 7.10 Officer opinion is that it is clearly inevitable that high quality agricultural land will always be under pressure for development when much of the land surrounding Boston is high quality agricultural land, there are no remaining housing allocations in the Local Plan and that there is not a five year land supply. Furthermore the loss of grade 1 agricultural land was not a reason to refuse the application for the large housing scheme at Middlegate Road, Frampton in 2017 and the planning Inspector dealing with the appeal at land off St Swithins Close, Bicker concluded that 'the proposal would result in a loss of the best and most versatile agricultural land but it is unlikely that the Council's housing supply could be remedied without such a loss'.
- 7.11 It is considered that the loss of grade 1 agricultural land counts against this application in the planning balance but it is not considered that it will pose as a major constraint to this development. The previous application to develop 0.9 hectares of agricultural land was not refused on the grounds of loss of agricultural land.

#### Density

- 7.12 The application site occupies 0.48 hectares and it is proposed to construct up to 4 dwellings on the site. This would equate to around 8 dwellings per hectare (dph). The density within the immediate proximity of the site is also very low at about the same density.
- 7.13 Paragraphs 122 and 123 of the revised NPPF are relevant and states, in part:
- 'Planning policies and decisions should support development that makes efficient use of land, taking into account:
- a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;
  - b) local market conditions and viability;
  - c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;
  - d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and
  - e) the importance of securing well-designed, attractive and healthy places (para 122).

Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site....' (para. 123).

- 7.14 It is considered that the proposed density of around 8 dph is acceptable in this edge of village location.

#### Impact on highway safety

- 7.15 It is intended to construct a new vehicular access onto Donington Road which is a class B single two lane carriageway. The stretch of road fronting the site is subject to a 40mph speed limit. There is no footpath on the northern side of Donington Road immediately fronting the site but there is a footpath next to the site fronting 'Millview' which leads to the village. There is also a stretch of footpath on the opposite side of the road although this footpath is limited in length and does not provide a direct link to the village. Access does not form part of this application and is a matter reserved for later approval. The indicative layout plan provides an indication of where the new access will be located. The submitted information indicates that '*..the site will be connected to the wider footway network by an existing footpath which leads along the northern side of Donington Road*'
- 7.16 The indicative plan shows the construction of a new estate road that runs parallel with Donington Road and will serve all of the proposed four dwellings. It is not intended to construct individual access points onto Donington Road to serve each plot.
- 7.17 Concerns have been expressed by some neighbouring residents about the impact this development may have on highway safety. The previous application for the erection of up to eight dwellings on a larger site was not refused on highway related grounds. The County Highway Authority has raised no objections to this scheme.
- 7.18 Given the small scale and nature of the proposed development, it is unlikely that car trips or traffic generation to and from this development would be excessive, nor would such journeys likely to be made at the same time.
- 7.19 Paragraph 109 of the NPPF (2018) states that Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.' It is considered that the residual cumulative impacts on the road network would not be severe sufficient to warrant refusal of this application on highway grounds.

#### Impact on residential amenity

- 7.20 Policy H3 of the Boston Borough Local Plan resists new housing which does not provide pleasant, secure environments for residents; is incompatible with the existing character of the area; is close to an existing use which is likely to cause environmental problems to future residents; or will cause or significantly aggravate adverse traffic conditions on the public highway. Policy G1 is the general development control policy that has some overlap with Policy H3. The test in the policy is that permission would only be granted if a proposal will not

'substantially harm' amenities of neighbouring residents or the general character of the area.

- 7.21 There are residential properties within the immediate vicinity of the site and the occupiers of some of these properties may be affected by the proposed development to some extent with particular regard to loss of privacy, overlooking, impact on visual outlook and traffic generation, both pedestrian and vehicular.
- 7.22 It is true to say that the presence of new buildings on open land where none exists at present will be intrusive and have, to some extent, an impact on the amenity of the neighbours. It is also equally true that this development will generate both pedestrian and vehicular traffic also which may have some impact on residential amenity.
- 7.23 However, Donington Road is a busy road and it is likely that any increase in traffic noise as a result of up to four dwellings will be negligible compared to the noise being generated by existing traffic movements. Furthermore, although there may be noise disturbance that would be caused by additional traffic during the construction of the development, it is considered that it will not cause substantial harm sufficient to warrant refusal of the application. A condition may be imposed on any permission granted which requires the submission of a traffic management statement which seeks to minimise traffic congestion and impacts on residential amenity during the construction period.
- 7.24 Matters relating to scale, layout and appearance are reserved for later approval though the application is accompanied by an indicative plan which shows how the site could be developed. The plan shows frontage development along Donington Road and demonstrates that it is possible to provide a good quality layout and satisfactory separation distances between proposed and existing dwellings to ensure residential amenity of existing occupiers could be maintained. Although it is intended to raise slab levels of the proposed dwellings 0.5m above average ground levels to meet flood risk constraints, this should not pose as a significant constraint to deliver a satisfactory form of development which does not substantially harm residential amenity.
- 7.25 Overall, it is considered that subject to a good quality housing scheme which may be submitted at reserved matters stage, this site is large enough to satisfactorily accommodate a sensitively designed residential development without causing substantial harm to residential amenity.

#### Impact on the character and appearance of the countryside

- 7.26 The site occupies 0.48 hectares and consists of flat, open agricultural land located at the western edge of the village and forms part of a larger field that includes land to the north. The site may be described as rural, bounded by roads to the south and west, an open drain on the south and devoid of any landscape feature of value. The site is not brownfield land and is not high environmental value given it is not nationally or locally designated as a protected site of having any landscape value. There are no public rights of way that cross the site so public views of the site will be largely from Donington Road and Whitebread Road. The site is therefore of low recreation value but may provide some local value. It may also provide some visual amenity to the occupiers of neighbouring residents.

Overall, it may be argued therefore that the site has low to moderate landscape value.

- 7.27 The effect of the proposed development on visual amenity and the character of the area is clearly a subjective issue. As indicated above, the previous application for a housing scheme of up to eight houses on a much larger site was considered by this Committee to represent '*an awkward and alien encroachment within this flat, rural landscape*'. It may therefore be argued that given this is for a much smaller housing scheme than the refused scheme, the impact on the character of the countryside will consequently be much less.

Whilst this may be the case, it does not necessarily follow that this scheme accords with the relevant policies detailed above and on this basis should be supported.

- 7.28 The development of the site will encroach significantly beyond the settlement limits of Kirton End by about 100m or so. On this basis, development of this site will clearly change the open characteristics of the area, essentially from an agricultural use devoid of any buildings to a small housing development which may be considered to be at odds with the nature, character and pattern of development within this rural environment. The residential appearance is often further emphasized by domestic paraphernalia, sheds, outbuildings etc. which area often found within such urban environments which may appear alien within this countryside setting. On this basis, it may therefore be argued, as with the previous application that this development will represent an alien and awkward projection into countryside that would substantially harm the character of the area, the pattern of development and would undermine the existing landscape value of the area, contrary to policy.
- 7.29 Alternatively, it may be argued that the proposed development reasonably links the western parts of the village to the collection of dwellings and commercial properties at Kirton End Bridge and given this development is likely to consist of frontage development, it will reflect the pattern of development within this part of the village.

### **Sustainability**

- 7.30 The Framework sets out three dimensions and roles of sustainable development i.e. social, economic and environmental. In addition, one of the core elements of the NPPF is that patterns of growth should be properly managed and to make the most effective use of public transport, cycling and walking. Paragraph 8 of the Framework explains that these three roles should not be undertaken in isolation because they are mutually dependent.
- 7.31 The application site is at an edge of a village which is identified within the SELLP as an 'Other service centre and settlement'. There are no main facilities within Kirton End and there is no footpath with street lighting which connects Kirton End to Kirton which is a main village with many facilities. It is likely therefore that there would be a need for the future occupiers of the proposed dwellings on this site to travel by motor vehicle outside of the settlement to access other key services in Boston and Kirton, especially during winter months when walking or cycling to and from Kirton is far less likely and not entirely safe. The NPPF however indicates that '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'. Given the rural nature of the site, it may be argued that the site is within an unsustainable location and this may count against the application.

- 7.32 In social terms, residential development of the site for up to four dwellings would make a limited contribution towards the supply of housing in the area. The NPPF identifies the social objectives as the 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 development would accord with the overall objectives of paragraph 8 of the Framework since this scheme will provide some, limited social benefit in terms of helping to meet the housing supply shortage.
- 7.33 In economic terms, the proposal would provide employment at construction stage and may support local businesses and the local wider economy both during construction and when the dwellings are occupied. The approval of this application would however result in the loss of agricultural land which weighs against this proposal in economic terms. However such loss of agricultural land as a result of this development has limited weight and on balance it is considered that the development would meet the economic dimension of sustainable development.
- 7.34 The environmental dimension of the NPPF aims to protect and enhance the natural, built and historic environment and biodiversity. In environmental terms, it is considered that the proposed development will significantly extend beyond the built up part of the village and will represent an awkward and alien encroachment within countryside. The proposed development would also not constitute 'rounding off' of this part of the village envelope or acceptable 'infill' development. The buildings and other domestic paraphernalia associated with such development would also create an urban environment which will erode the character of the countryside and the surrounding environment. The resultant effect would therefore not meet the environmental thread of sustainable development.

#### Flood risk

- 7.35 The application site is located within Flood zone 3 of the Environment Agency's Flood Zone Map. The submitted Flood Risk Assessment recommends that finished floor levels should be raised 0.5m above the average level of the site which accords with the local flood risk standing advice supplied by the Environment Agency.

#### The planning balance

- 7.36 There are issues which weigh both in favour and against this application and one of the main issues is therefore whether the adverse impacts outweighs the benefits given the objectives of policies contained within the Local Plan, the relevant policies contained in the SELLP and the presumption in favour of sustainable development as contained within the NPPF (2018).
- 7.37 The application site is essentially outside of the village envelope as contained within both the adopted Boston Borough Local Plan and the emerging South East Lincolnshire Local Plan, in an area where new development is strictly controlled.

However as indicated above, a very small part of the site lies within the settlement limits which is required to link the proposed footpath to the existing network. Although this forms part of the planning balance and weighs partly in favour of the application, it would only attract minimum weight given that the area of land within the village limits represents less than 1% of the site.

- 7.38 It may also be argued that the application will represent an awkward and alien encroachment within countryside and will substantially harm the amenity and rural character of the area and the degree of environmental harm weighs significantly against the application. The application is contrary to Local Plan Policies G1, G2 and C01. It is also contrary to Policy 1 of the SELLP and the environmental dimension of sustainable development. Furthermore, this development will result in the loss of prime agricultural land and may have some impact on the amenity of neighbouring occupiers and highway safety. These factors weigh against this application.
- 7.39 Alternatively, this scheme will provide some benefits. The proposed development will provide up to four new homes thereby contributing, to a limited extent, to the supply of housing in the Borough and in the village. There would also be economic benefits in terms of customers and employees for local businesses and economic benefits associated with construction and employment generation. However, the combined benefits arising from this proposal would be very small in scale.
- 7.40 It may also be argued that the proposed development fronting Donington Road conforms with the pattern of development in the area and will positively consolidate the western part of the village to the existing group of buildings at Kirton End Bridge. On this basis, it may be the case that subject to good quality housing designs coupled with a structured comprehensive landscaping scheme, the environmental impact of this development would be more positive rather than negative. In addition, it may be argued that Whitebread Road to the west forms more logical and natural boundary to the village. These factors, along with the presumption in favour of sustainable development as identified within the NPPF, weigh in favour of this application.

## **8.0 Summary and Conclusion**

- 8.1 It is considered that this development will not represent a natural infill or an acceptable expansion to the shape of the village. It will represent both an awkward and pronounced encroachment within countryside, a fundamental change to the open character of the site and will introduce an urbanising form of development. Collectively this would have a materially harmful effect on the appearance of the area and the character of the countryside. Therefore, this development does not meet the environmental thread of sustainable development, Local Plan policies G1 and C01, and Policy 1 of the South East Lincolnshire Local Plan. The benefits associated with this development do not outweigh these adverse impacts on the environment sufficient for this application to be supported.

## **9.0 Recommendation**

- 9.1 It is recommended that Committee **REFUSE** the application on the following grounds:

1. The application site is essentially located outside of the settlement boundary of Kirton End as defined in the Boston Borough Local Plan (1999) and the South East Lincolnshire Local Plan (2011-2036) and within an area defined as 'countryside'. This development will extend the built up area of the village creating an awkward and alien encroachment within this flat, rural landscape. The development would also consolidate the surrounding urban environment with the existing residential and commercial development to the west and the resultant effect would substantially erode the character and appearance of the countryside and open rural landscape. This scheme will therefore promote an unsustainable pattern of development in this area and any benefits the development may provide relating to the supply of housing in the area and local economic benefits would be significantly and demonstrably outweighed by its adverse effects. The application is therefore contrary to the objectives of Local Plan Policies C01, G1 and G2, Policy 1 of the emerging South East Lincolnshire Local Plan and the environmental dimension of sustainable development as contained within the National Planning Policy Framework (2018).

#### Refused drawing numbers

- Location plan ref 18.079 S01.01 Rev C
- Indicative block plan ref 18.079 S03.02 Rev B
- Indicative proposed elevations ref 18.079 S03.01 Rev B

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**