



**SOUTH  
KESTEVEN  
DISTRICT  
COUNCIL**

## Planning Committee

3 June 2021



## S20/2018

**Proposal:** Outline application for a single storey dwelling  
**Location:** 17 Churchill Avenue, Bourne, PE10 9QA  
**Applicant:** Mr James, 17, Churchill Avenue, Bourne, PE10 9QA  
**Agent:** Kate Westwood, Peter Smith Associates, Orion House, 14 Barn Hill, Stamford, PE9 2AE  
**Application Type:** Outline Planning Permission  
**Reason for Referral to Committee:** At the request of Cllr Crawford  
**Key Issues:** Principle of Development  
 Impact of the development on the character of the area  
 Impact on neighbouring residential amenities  
 Highways Impacts

### Report Author

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**Corporate Priority:**

**Growth**

**Decision type:**

**Regulatory**

**Wards:**

**Bourne Austerby**

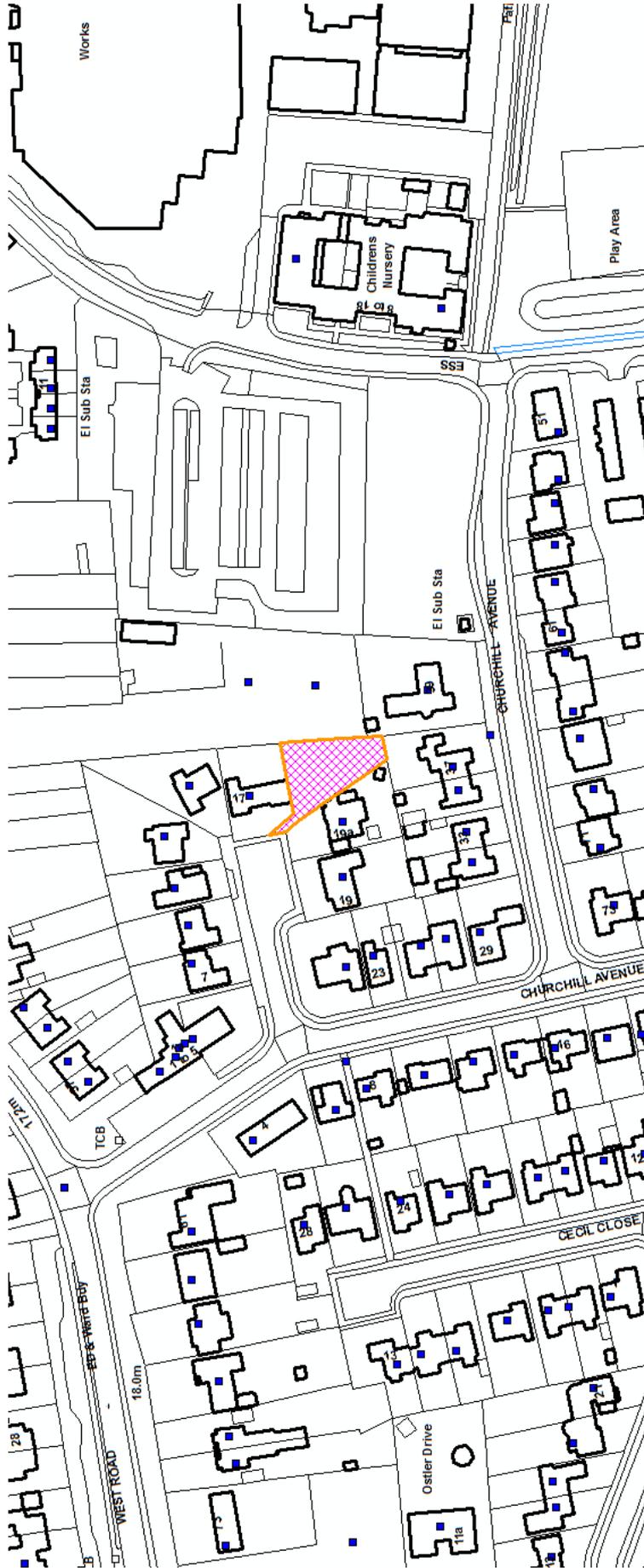
**Reviewed by:**

Phil Jordan, Principal Planning Officer

17 May 2021

**Recommendation (s) to the decision maker (s)**

**That the application is approved conditionally**



**Application  
Boundary**



**Key**

## **1 Description of Site**

- 1.1 The application site lies within the main built-up area of Bourne and is situated at the end of a residential street, which leads into a cul-de-sac.
- 1.2 The site forms part of the garden space for 17 Churchill Avenue. It is bound to the north, south and west by existing residential properties (including the host property), and is bound to the east by a site which benefits from extant planning permission for two detached dwellings (S20/0877).
- 1.3 The current application seeks outline planning permission (all matters reserved) for a single-storey dwelling. Access to the site would be taken from the street between 17 and 19a Churchill Avenue.

## **2 Description of Proposal**

- 2.1 As stated above, the current application seeks outline planning permission (with all matters reserved) for a single storey dwelling. A previous application for two dwellings on the site was withdrawn, following concern from officers that it constituted overdevelopment of the plot.
- 2.2 It should also be noted that this current application was originally submitted in outline (all matters reserved) for a 3-bedroom dwelling, although an indicative plan showed a 1 ½ storey dwelling. However, officers again raised concerns about a development of this scale and form within this location and, as such, the description of development was revised to the current details.
- 2.3 Whilst all detailed design matters are reserved for subsequent determination, the submitted plans indicate that access to the site would be taken via Churchill Avenue, utilising the access point which forms part of the front boundary of the existing residential property. In addition, an indicative layout plan has been submitted showing the principal elevation of the property facing Churchill Avenue, with private amenity space to serve the proposed dwelling to the front, side and rear.
- 2.4 The existing property would retain garden space to the rear of the current dwelling, and appropriate space for parking provision has been demonstrated for the existing and proposed properties.

### 3 Relevant History

Reference	Proposal	Decision	Date
S20/1246	Erection of 2no. 3 bed dwellings in the garden space (outline planning permission with all matters reserved)	Withdrawn	06.10.2020
S03/2063	Two storey and single storey side extensions	Approved Conditionally	12.04.2003
SK.1056/80 (3857)	Residential development and access	Approved Conditionally	28.08.1980

### 4 Policy Considerations

#### 4.1 SKDC Local Plan 2011 - 2036

Policy SD1 – Principles of Sustainable Development in South Kesteven

Policy SP2 - Settlement Hierarchy

Policy SP3 - Infill Development

Policy EN4 – Pollution Control

Policy DE1 - Promoting Good Quality Design

Policy SB1 – Sustainable Buildings

#### 4.2 National Planning Policy Framework

Section 2 – Achieving Sustainable Development

Section 4 – Decision Making

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting Sustainable Transport

Section 12 – Achieving well-designed places

Section 15 – Conserving and enhancing the natural environment

### 5 Representations Received

#### 5.1 LCC Highways & SuDS Support

5.1.1 No objections.

5.1.2 Notes that the current application is an outline planning application with all matters reserved. In order to support any subsequent reserved matters application, the applicant will need to make consideration of sufficient parking spaces for the proposed and host dwelling.

5.1.3 The proposed access arrangements will need to be a minimum of 4.1 metres wide if shared with the host dwelling or show other arrangements if both are separate.

5.1.4 Also identifies that land within the site are subject to surface water flooding for 1:30 and 1:100 year events. As Lead Local Flood Authority, Lincolnshire County Council is required to provide a statutory planning consultation response with regard to surface water risk on all Major applications. This application is classified as a Minor Application and it is therefore the duty of the Local Planning Authority to consider the surface water risk for this planning application.

## **Bourne Town Council**

- 5.1.5 Objection. The application constitutes an unacceptable over-development of the site, the access to the site is compromised and there is a history of drainage problems in the area.

## **6 Representations as a Result of Publicity**

- 6.1 This application has been advertised in accordance with the Council's Statement of Community Involvement and 6 letters of objections has been received. The points raised by objectors can be summarised as follows:

- Major access concerns, including parking issues related to the nearby school.
- The proposal runs very close to our boundary wall.
- There is also this problem with the foul sewer, it is already overloaded.
- Overdevelopment of the area
- Overlooking and privacy issues
- Concerns over character
- Flooding concerns

## **7 Evaluation**

### **7.1 Principle of Development**

- 7.1.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the application is to be determined in accordance with the local development plan, unless material considerations indicate otherwise. The Council's adopted Local Plan 2011-2036 forms the Development Plan for the District and therefore is the basis for decision making. A neighbourhood plan is being developed for Bourne, although it currently holds no weight in terms of decision making.
- 7.1.2 The National Planning Policy Framework (NPPF) and the associated National Planning Practice Guidance (NPPPG) are material considerations in the determination of planning application, and also contain policies and advice to guide the decision maker.
- 7.1.3 As identified within the Planning History for the site, it is noted that the application site has historically benefited from planning permission for residential development and an associated access and, as such, the principle of residential development on this land has previously been considered acceptable. Notwithstanding the above, the historical consents are not considered to be extant planning permissions and therefore only carry limited weight in terms of current decision making.
- 7.1.4 Policy SD1: Principles of Sustainable Development in South Kesteven of the Local Plan sets out the overarching obligation for development proposals to minimise its impact on climate change and contribute towards a strong, stable and more diverse economy. The policy requires consideration of a number of issues including the impact of development on climate change, minimising the need to travel, avoiding areas of flood risk, encouraging the used of previously developed land, meeting current and future housing demand and enhancing the character of the District.

- 7.1.5 Policy SP1 sets out the spatial strategy for the District and advises that decisions on the location and scale of new development will be taken on the basis of the settlement hierarchy in Policy SP2.
- 7.1.6 Bourne is recognised as a market town within the settlement hierarchy. Policy SP2 states that *“development which maintains and supports the role of the three market towns of Stamford, Bourne and The Deepings, will be allowed provided that it does not compromise their nature and character. Priority will be given to the delivery of sustainable sites within the built-up part of the town and appropriate edge of settlement extensions”*.
- 7.1.7 Policy SP3 (Infill Development) identifies that infill development, which is in accordance with all other relevant Local Plan policies, will be supported provided that:
- (a) *It is within a substantially built-up frontage or redevelopment opportunity (previously developed land)*
  - (b) *It is within the main built up part of the settlement*
  - (c) *It does not cause unacceptable impact on the occupiers’ amenity of adjacent properties*
  - (d) *It does not extend the pattern of development beyond the existing built form; and*
  - (e) *It is in keeping with the character of the area and is sensitive to the setting of adjacent properties.*
- 7.1.8 Furthermore, the National Planning Policy Framework (NPPF) outlines at Paragraph 59 that *“to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of group with specific housing requirements are addressed and that land with permission is developed without unnecessary delay”*. Paragraph 68 of the Framework also recognises the important contribution to that small to medium sites can make to meeting the housing requirement for the area.
- 7.1.9 As set out above, the site lies within the main built up area of Bourne, which is considered to be a sustainable location for growth. The application site currently consists of private garden amenity space for the host dwelling (17 Churchill Avenue) and is bound to the north, south and west by existing residential properties, and to the east by approved residential development. The site, therefore, is situated within a substantially built up frontage and would not extend the pattern of development beyond the existing built form. As such, the location of the site would comply with criteria (a), (b) and (d) of Policy SP3. Development in this location is considered to be acceptable in principle, subject the proposals not having an unacceptable impact on neighbouring amenities (criterion (c)), and the development being in keeping the character of the area and sensitive to the setting of adjacent properties (criterion (e)). These matters are discussed in greater detail in other sections of this report.
- 7.1.10 Taking the above into account, development in this location would be in accordance with Policies SD1, SP1, SP2 and SP3 of the adopted Local Plan and Section 5 of the NPPF and, therefore, the principle of development is considered to be acceptable, subject to the considerations of scale and relationship with the existing character and appearance of the area.

## 7.2 **Impact on the character and appearance of the area**

- 7.2.1 As detailed above, Policy SP3 (Infill Development) identifies that infill development will be considered acceptable subject to the proposals being in keeping with the character of the area.
- 7.2.2 Furthermore, Local Plan Policy DE1 (Promoting Good Quality Design) states (amongst other criteria) that to ensure high quality design is achieved throughout the District, all development proposals will be expected to make a positive contribution to local distinctiveness, vernacular and character of the area. Proposals should reinforce local identity and not have an adverse impact on the streetscene, settlement pattern of the landscape / townscape character of the surrounding area. Proposals should be an appropriate scale, density, massing, height and material given the context of the area.
- 7.2.3 Paragraph 124 of the Framework states that 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. Paragraph 127 goes on to identify that planning decisions should ensure that developments will function well and add to the overall quality of the area, and new development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping.
- 7.2.4 The current application is in outline form, with all matters reserved for future determination. Upon original submission, the proposal was for a 3-bedroom dwelling, shown indicatively over two storeys. However, Officers identified concerns about development of this scale and form within this location and therefore, the description of development was subsequently revised. As such, the description of the development confirms that the proposed dwelling would be single-storey only. A development of this scale is considered to be possible without causing an unacceptable or adversely prominent addition to the existing street scene, subject to an appropriate detailed design.
- 7.2.5 The application site is surrounded by existing residential properties on the north, south and west, whilst it is bound to the east by an approved residential development for two-dwellings. As such, the proposal would be seen within an established residential context. The proposed single-storey dwelling would be situated in a narrow plot between existing two-storey properties. However, it is noted that properties on the northern side of Churchill Avenue are predominantly single storey and, similarly, and some of these properties are situated within narrow plots fronting the highway.
- 7.2.6 Whilst the access onto the site would be at a slight angle from the existing cul-de-sac, LCC Highways have not identified any highways safety concerns, and such arrangements, are not considered to be significantly detrimental to the character of the area. The application site is considered to be capable of providing sufficient garden space to meet the needs of the proposed dwelling, and the retain sufficient private amenity space for the host property.

7.2.7 The current application is in outline only, with all matters reserved for subsequent determination. Therefore, subject to the detailed design of the proposed development, which falls to be considered at the reserved matters stage, it is considered that development of a single-storey dwelling on this site would not appear to be cramped or out of place, and would not be detrimental to the overall character or appearance of the area. As such, in principle, the proposal would therefore, be in accordance with Policy SP3(e) and Policy DE1 of the Local Plan, and Section 12 of the Framework with regards to being appropriate for the character and appearance of the area.

### 7.3 **Impact on the neighbours' residential amenities**

7.3.1 Criterion (c) of Policy SP3 states that infill development will only be considered acceptable where it does not cause an unacceptable impact on occupiers' amenity of adjacent properties.

7.3.2 Furthermore, Policy DE1 (Promoting Good Quality Design) of the adopted Local Plan states (amongst other criteria) that all development proposals will be expected to ensure that there is no adverse impact on the amenity of neighbouring users in terms of noise, light pollution, loss of privacy and loss of light, and should provide sufficient private amenity space, suitable to the type and amount of development proposed. Policy EN4 (Pollution Control) seeks to minimise the impacts of pollution on air, land and water quality.

7.3.3 Paragraph 127 of the NPPF states that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

7.3.4 The proposed outline application, with all matters reserved, is considered, in principle, to not cause an adverse impact to the residential amenities of neighbouring occupiers, subject to appropriate detailed designs. The siting of the proposed dwelling; coupled with the size of the application site; the position of neighbouring properties; and the indicative scale of development being limited to a single storey dormer dwelling, would ensure that the proposed scheme could be delivered without causing an undue impact on the amenities of neighbouring properties.

7.3.5 Therefore, in principle, it is considered that the application site is capable of accommodating a single-storey dwelling, as described, without causing an adverse impact on the residential amenities of neighbouring occupiers. These matters would also be assessed in further detail as part of any future reserved matters application.

7.3.6 Thus, it is considered that there are no fundamental issues to indicate that the application site could not accommodate a development of the description proposed. It is considered that, in principle, the site could accommodate a single storey dwelling whilst maintaining appropriate levels of amenity for all existing and future occupants, subject to detailed design considerations. As such, the proposal would accord with Local Plan Policies SP3(c), EN4 and DE1 and Section 12 of the NPPF.

## 7.4 Highway Issues

- 7.4.1 Local Plan Policy ID2 seeks to minimise the use of travel by car and maximise sustainable transport modes. The policy also requires development proposals not to result in any unacceptable highway safety impacts or result in severe cumulative traffic impacts. Paragraph 109 of the NPPF 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.
- 7.4.2 The current application is in outline, with all matters reserved for future determination. However, Drawing Ref: 19/4153/04/A indicates how the dwelling could be positioned to ensure that cars have sufficient space to access the site and can appropriately turn / manoeuvre within the Site.
- 7.4.3 Lincolnshire County Council (as Highway Authority) have commented to advise the applicant of the appropriate parking provision and access width that should be provided as part of any future reserved matters application. However, they have confirmed that they have no objections to the current application proposals.
- 7.4.4 Therefore, it is considered that the proposals would not result in an unacceptable impact on highway safety and, as such, the application is in accordance with Local Plan Policy ID2 and Section 9 of the Framework.

## 7.5 Drainage and Flood Risk

- 7.5.1 Local Plan Policy EN5 and the NPPF (Section 14) require development to be located in the lowest areas of flood risk and not to increase the risk of flooding elsewhere.
- 7.5.2 The application site is within Flood Zone 1 (at the lowest risk of fluvial flooding), however Lincolnshire County Council have highlighted the potential for surface water flooding. Therefore, a pre-commencement condition to secure a suitable surface water drainage strategy is recommended.

## 8 Crime and Disorder

- 8.1 It is considered that the proposal would not result in any significant crime and disorder implications.

## 9 Human Rights Implications

- 9.1 Articles 6 (Rights to fair decision making) and Article 8 (Right to private family life and home) of the Human Rights Act have been taken into account in making this recommendation. It is considered that no relevant Article of that act will be breached.

## 10 Conclusion

10.1 Planning law requires that planning applications should be determined in accordance with the development plan unless material considerations indicate otherwise. Taking the above into account, it is considered that the location of development, being situated within the built-up area of Bourne, is considered to be acceptable. Whilst the site is acknowledged as being relatively small, on balance, it is considered that a modest single storey dwelling could be delivered on the application site in a manner that would be appropriate for the character and appearance of the area, and would not result in unacceptable adverse impacts on the amenities of existing and future occupants.

10.2 Therefore, the proposed development is considered to be in accordance with Policy SD1, SP1, SP2, SP3, EN4 and DE1 of the Local Plan and Sections 5, 9 and 12 of the NPPF. There are no material considerations which would indicate that planning permission should not be granted in accordance with the development plan, although conditions have been attached. Consequently, the proposed development is considered acceptable.

10.3 **RECOMMENDATION: that the development is Approved subject to the following conditions**

### **Time Limit for Commencement**

1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission or two years from the approval of the last of the reserved matters, whichever is the latter.

Reason: In order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

2 Details of the reserved matters set out below shall have been submitted to the Local Planning Authority for approval within three years from the date of this permission:

- i. access;
- ii. scale
- iii. appearance
- iv. layout
- v. landscaping

Approval of all reserved matters shall have been obtained from the Local Planning Authority in writing before any development is commenced.

Reason: To enable the Local Planning Authority to control the development in detail and in order that the development is commenced in a timely manner, as set out in Section 92 of the Town and Country Planning Act 1990 (as amended).

## Approved Plans

3 The development hereby permitted shall be carried out in accordance with the following list of approved plans:

- i. Drawing No: 19 4153 01 Received 26th Nov 2020

Unless otherwise required by another condition of this permission.

Reason: To define the permission and for the avoidance of doubt.

## Before development is commenced

4 Before the development hereby permitted is commenced, a scheme for the treatment of surface water drainage shall have been submitted to and approved in writing by the Local Planning Authority. The development must be carried out in accordance with the approved details.

Reason: To ensure the provision of satisfactory surface and foul water drainage is provided in accordance with Policy EN5 of the adopted South Kesteven Local Plan.

## Ongoing Conditions

4 When an application is made for approval of Reserved Matters, details/samples of the materials (including the walling materials, roofing materials and boundary wall) to be used in the construction of the external surfaces, shall be submitted to and approved in writing by the Local Planning Authority. The external surfaces shall be completed in accordance with the approved details.

Reason: To ensure a satisfactory appearance to the development and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

5 When an application is made for approval of Reserved Matters, details of proposed electric vehicle charging points to be made available on site for use for the occupiers of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be completed/installed in accordance with these approved details and shall thereafter be retained as such for the lifetime of the development.

Reason: To ensure that the development contributes to low carbon travel in accordance with Policy SB1 of the South Kesteven Local Plan (2020).

6 Notwithstanding the submitted details relating to the boundary treatments on block plan ref: 19 4153 02A received on 19th Jan 2021, when the first application is made in connection with the reserved matters, details of soft landscaping works and boundary treatments shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include;

- a) Boundary treatments to all boundaries on the site

- b) Planting schedules (species, sizes and densities)

Reason: To provide a satisfactory appearance to any boundary treatments, in the interests of the privacy and amenity of the occupants of the proposed and neighbouring dwellings. To contribute to the development and its assimilation with its surroundings and in accordance with Policy DE1 of the adopted South Kesteven Local Plan.

**Standard Note(s) to Applicant:**

- 1 In reaching the decision the Council has worked with the applicant in a positive and proactive manner by determining the application without undue delay. As such it is considered that the decision is in accordance with paras 38 of the National Planning Policy Framework.



LOCATION PLAN  
Scale 1:500@A1 - 1:1000@A3