

## AGENDA ITEM NO: 8/2(f)

<b>Parish:</b>	<b>Old Hunstanton</b>	
<b>Proposal:</b>	<b>New vehicular access</b>	
<b>Location:</b>	<b>1 Sea Lane Old Hunstanton Hunstanton Norfolk</b>	
<b>Applicant:</b>	<b>Mr &amp; Mrs Wase</b>	
<b>Case No:</b>	<b>17/00445/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination: 9 May 2017</b>

**Reason for Referral to Planning Committee** – The views of Old Hunstanton Parish Council are contrary to the Officer recommendation.

### **Case Summary**

The application site is contained within the development boundary of Old Hunstanton and within the Conservation Area, on the northern side of the Old Hunstanton Road. The application site contains a two storey detached property with an outbuilding to the rear.

The application site has been the subject of an appeal, APP/V2635/A/14/2228705, to planning application 14/01075/F for the change of use of the outbuilding to the rear to provide a single person accommodation and double garage extension, which was dismissed on appeal.

This application is for a new access and parking area to 1 Sea Lane from Old Hunstanton Road.

The following item on the agenda is for the change of use of the outbuilding to the rear of this application site, which will therefore be dealt with separately.

### **Key Issues**

Principle of development and Planning History  
Impact upon the Conservation Area  
Impact upon Highway Safety  
Impact upon Neighbour Amenity  
Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site lies on the northern side of Old Hunstanton Road, Hunstanton and is contained in both the development boundary and Conservation Area for Old Hunstanton.

The site contains a detached two storey property (1 Sea Lane) and single storey outbuilding to the rear - known as the Old Bakehouse. The property benefits from a raised front garden area which is screened from Old Hunstanton Road by vegetation. The majority of the rear amenity space is taken up by the single storey outbuilding. The existing property benefits from an existing vehicular access from Sea Lane. This access is gated and the turning area is gravelled.

The application site has been the subject of a number of recent planning applications that have either been withdrawn or refused for the subdivision of the site, through removing condition 2 on 2/85/3706/CU/F/BR, which restricted the use of the outbuilding to:-

“This permission relates to the creation of ancillary accommodation to the existing dwelling for occupation in connection with that dwelling. The ancillary accommodation shall at all times be held and occupied with the existing dwelling within the same curtilage and shall at no time be occupied as a separate unit of residential accommodation.”

The latest application for the subdivision of the site, 14/01075/F, was refused under delegated powers for being a cramped form of development and for highway safety reasons in the provision of a new access from Sea Lane. That particular application was dismissed on appeal, APP/V2635/A/14/2228705, upholding the Council's reasons for refusing the planning application.

This application seeks to address the highways reason for refusing the previous application and dismissed on appeal, by proposing a separate access for the existing dwelling, with the outbuilding to the rear utilising the existing access.

## **SUPPORTING CASE**

The application has been supported by a covering letter, which covers both applications has been submitted. It is summarised below:-

- A proposed layout is submitted for how the site can be separated into 2 separated dwellings. The annex is proposed to be served via the existing access off Sea Lane. No amendments are proposed to this access and an area for parking and turning will be provided.
- The existing dwelling will be served by using the extensive private amenity space to the front of the property. A new vehicular access will be provided off Old Hunstanton Road which will include parking for 2 vehicles and appropriate turning area.
- The principle of development is acceptable given that Old Hunstanton is a Rural Village.
- The last application proposed to have a new access from Sea Lane, which had sub-standard visibility and the Inspector agreed with the Highway Authority in their refusal on highway safety grounds. A late plan was submitted during the appeal to 14/01075/F which provides an alternate access arrangement with one dwelling being served off the existing access and the other by a new access from Old Hunstanton Road. It was noted that this was acceptable to the highways authority but could not be taken into consideration as part of the appeal.
- The proposed access has been subject to consultation with the Highway Authority and it is considered that the proposal is acceptable in highway terms. As requested by the highway authority, the new access proposes a 2.4m x 43m visibility splay as shown on the submitted plans. A 2.4m wide access point is provided in order to minimise the amount of wall that needs to be removed to accommodate the access and therefore minimise the impact on the conservation area.

- The access is positioned to avoid the bus stop and existing planters, although it is noted that a feeder pillar may need to be relocated. Car parking and appropriate turning is provided. It is considered that the proposal is fully in accordance with NCCs Highway Standards and is acceptable.
- The existing property would through a revised layout retain 260m<sup>2</sup> of private garden space. Both areas of amenity space are private and are screened from the highway by existing vegetation.

## PLANNING HISTORY

17/00444/F: - Removal of condition 2 of planning reference number 2/85/3706/CU/F/BR to enable the two storey dwelling and the annex to form two separate planning units – pending consideration

14/01075/F: Application Refused: 10/10/14 - Removal of Condition 2 attached to planning permission reference 2/85/3706/CU to allow the Annex to be occupied as a separate unit of accommodation. Appeal Dismissed 02/02/15;

11/00435/F: Application Withdrawn: 20/05/11 - Extension to existing annex

2/85/3706/CU/F/BR – Renovations and extending to outbuilding

## RESPONSE TO CONSULTATION

**Parish Council: OBJECTION** the proposed vehicle access would cause a danger being close to the layby, the shop, the bus stop and playground.

**Highways Authority: NO OBJECTION** subject to conditions

**Conservation officer: NO OBJECTION** provided a minimum amount of wall is removed.

## REPRESENTATIONS

4 letters of objection on the following grounds:-

- New access being a hazard
- New entrance will be adjacent to the Bus Stop, which is used by coastal travellers. Hinder views of cars of using new exit.
- Visibility would be poor
- Congested roads in the area
- Impact upon the Conservation Area
- Unsafe part of the village
- Less than 10m away from Sea Lane junction.
- Where would the bus stop move to?

1 letter of support on the following grounds:-

- No objection but would wish to see the trees retained in the front garden area provides privacy
- The annex will not be changed from a bungalow to a house

## **NATIONAL GUIDANCE**

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS05** - Hunstanton

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to this application are:-

- Principle of Development and Planning History
- Impact upon Highway Safety
- Impact upon the Conservation Area
- Impact upon Amenity
- Other Material Considerations

### **Principle of Development and Planning History**

The site lies within the development boundary of Old Hunstanton. Old Hunstanton is a rural village that can support limited minor development which meets the needs for settlements and helps to sustain existing services in accordance with Policy CS06 in rural areas. Development of this scale and nature could be acceptable in principle subject to other material considerations.

The application site has been the subject of an appeal, APP/V2635/A/14/2228705 to 14/01075/F which requested the removal of planning condition 2 of 2/85/3706/CU/F/BR. Condition 2 restricted the outbuilding at the rear of the site, so that it be held in association

with the existing dwelling (1 Sea Lane), to be within the same curtilage and to be at no times used as a separate unit of residential accommodation.

The appeal, APP/V2635/A/14/2228705, was dismissed on the living conditions not being of good standard for the future occupiers of the converted outbuilding and on highway safety grounds. In regards to access issues, the inspector considered that a new point of access from Sea Lane, to serve the donor dwelling and new dwelling, would have fallen foul of the required visibility splay requirement in both directions. Notwithstanding that there were no accidents in the immediate locality of the appeal site; the inspector concluded that the likely volumes of traffic on this connecting road and the absence of a footway meant that additional vehicles using the restricted visibility at the proposed entrance to the old bakehouse (outbuilding) would adversely affect highway safety on this part of Sea Lane. The limited parking and turning area proposal would have resulted in the vehicles for no.1 Sea Lane, the donor property, having to reverse onto the highway.

During the appeal process, the appellant had submitted plans to provide off-road parking by creating a new access from Old Hunstanton Road; however these proposals – whilst formulated in discussions with the highways authority were not entertained by the Inspector as they were not subject to formal consultation with the neighbours, Parish Council and Highway Authority. The Inspector did note that the Local Highways Authority found the revised scheme amenable subject to revision.

This application is therefore a formal submission, for a new access and associated parking arrangements for 1 Sea Lane.

### **Impact upon Highway Safety**

Third Party objections raise concerns in regards to highway safety issues as a result of a new access being created from the A149. The objectors are concerned about conflicts of movement especially considering the close proximity of the bus stop to the new entrance and the new entrance and its proximity to the junction of Sea Lane and Old Hunstanton Road.

The new vehicular access will be adjacent to the western boundary of 1 Sea Lane and will involve widening what is currently a pedestrian access to 1 Sea Lane from Old Hunstanton Road, by removing approximately 1.6m of carstone and red brick low level wall to widen the access. The bus stop is not required to be moved, but a galvanised electrical post adjacent to the pedestrian gate will need to be repositioned to the east to facilitate the new vehicular access. A new pedestrian gate is to be provided near to Sea Lane on the roadside frontage. The proposed parking and turning area will provide parking for two cars for 1 Sea Lane, which is adequate as 1 Sea Lane is a 3 bedroom property.

The highways officer has no objection to the proposal subject to conditions as per the plan submitted – 02C.

### **Impact upon the Conservation Area**

Third Party representations are concerned about the impact of the development on the conservation area.

S.72 of the Town and Country Planning (listed buildings and conservation areas) Act requires the Local Planning Authority to pay special attention to the desirability of preserving and enhancing the character or appearance of that area. Paragraphs 126 and 131 of the National Planning Policy Framework – In developing this strategy, local planning authorities should take into account; the desirability of sustaining and enhancing the significance of

heritage assets and putting them to viable uses consistent with their conservation and in determining planning applications.

The proposal will involve the widening of an existing access in the front boundary wall to create a vehicular access and the provision of a new pedestrian gate. It is considered that the minimal loss of wall both in the widening of the existing access and the provision of a pedestrian gate has a neutral impact upon the character of the Conservation Area.

Accordingly it is considered that paragraphs 126 and 131 of the National Planning Policy Framework have been complied with.

The Conservation Officer has no objection to the proposal. It is considered that a condition be imposed to ensure that the making good of the wall uses materials that closely match the existing, to ensure that the character of the Conservation Area is sustained.

### **Impact upon Amenity**

The inspector during the appeal to 14/01075/F commented that the property benefits “from a sunken part of the garden immediately to the south of the house which provides secluded space” and the garden area (front) being enclosed by a low brick and planting is “is such that it is not a particular exposed or open area.” The amount of front garden to 1 Sea Lane given over to the proposed access/ parking and turning area is not considered to result in a cramped form of development and the future occupants of 1 Sea Lane will still have a good standard of amenity.

The neighbour to the west, no. 2 Erpringham Court, has a secluded rear private amenity space and their front garden area is screened from no.1 by hedging and trees along the front part of the western boundary. The location of the proposed parking and turning area would therefore not cause this neighbour any dis-amenity.

There are no residential neighbours immediately to the west of the site and those to the south are on the opposite side of Old Hunstanton Road.

### **Other Material Considerations**

The site is within the built up area of Old Hunstanton and the proposal would thus not cause a detrimental impact upon the Norfolk Coast SSSI buffer area.

### **CONCLUSION**

The application site has been the subject of appeal history, APP/V2635/A/14/2228705, for the removal of condition 2 to allow the outbuilding to the rear to become an independent unit of accommodation. The appeal was dismissed on 2 grounds, one being highway safety. The previous proposal for a new access onto Sea lane would have caused highway safety issues through the reversing out of cars in association of 1 Sea Lane, onto Sea Lane and the restricted visibility at the new vehicular entrance to the Old bakehouse building would have adversely affected highway safety. This proposal is considered to have overcome highway safety issues raised on the previous application in respect to parking for 1 Sea Lane, by providing an access onto the A149, subject to conditions. The Highways Officer has no objection to the proposal on highway safety grounds.

It is therefore your officer's opinion that this application be approved subject to the following conditions.

## RECOMMENDATION:

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:-
  - Proposed Plans in so far as the proposed site plan only for the new access for 1 Sea Lane as shown on 332-02C.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first use of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan 02c in accordance with the highway specification drawing No:TRAD 5. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 4 Condition Prior to the first use of the access hereby permitted a visibility splay measuring 2.4m X 43 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 4 Reason In the interests of highway safety.
- 5 Condition Prior to the first occupation use of the development, the proposed access / on-site car parking and turning area shall be laid out, in accordance with the approved plan 02 C and retained thereafter available for that specific use.
- 5 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 6 Condition The materials to be used in the making good of the front (southern boundary wall) shall match, as closely as possible, the type, colour and texture of those used in the construction of the existing wall.
- 6 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.