

Parish:	King's Lynn	
Proposal:	Construction of new dwelling and detached garage	
Location:	Rear of 33 Kensington Road King's Lynn Norfolk PE30 4AS	
Applicant:	Mr & Mrs D Cawston	
Case No:	17/01036/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 26 July 2017

Reason for Referral to Planning Committee – Called in by Councillor Wing-Pentelow

Case Summary

The application site relates to a portion of land set behind the build line on the northern side of Kensington Road in King's Lynn.

The proposal is to construct a new single-storey dwelling with detached garage. Access would be from the main road with a parking and turning area to the front of the site. The proposal would lead to a tandem form of development in this area.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011, the King's Lynn and West Norfolk Site Allocations and Development Management Policies Plan 2016 are relevant to this application.

Key Issues

- Principle of Development
- Form and Character and amenity
- Highways
- Other considerations

Recommendation

REFUSE

THE APPLICATION

The site comprises an area of garden land to the rear of no 33 Kensington Rd, King's Lynn. An existing garage would be removed to create an extended vehicle access to the side of the donor property. There is close boarded fencing and hedging along the boundaries.

The application seeks to construct a new, single storey dwelling with a detached garage to the front of the proposed property.

The application is a re-submission of 16/00177/F which was withdrawn following concerns expressed with regards to the impact to form and character.

SUPPORTING CASE

The applicant has submitted a planning, design and access statement with the proposed plans. This has expressed the view that the development can be undertaken without having an adverse impact to the form and character of the area and would not be harmful to neighbouring dwellings. It has expanded on this point to state that the proposal would be an acceptable form of tandem development and there are other examples of built form set behind the build line. It has also been stated the development would make provision for an elderly relatives as the reason for additional accommodation.

PLANNING HISTORY

16/00177/F Construction of new dwelling within the gardens of existing house WDN - Application Withdrawn

RESPONSE TO CONSULTATION

NCC Highways Authority: Original comments - Having visited the site and examined the plans submitted it is evident that the access would accord to standard. However, it is also evident that the parking facility for the proposed dwelling is not to standard in relation to the size of garage or number of spaces and the ability to turn on site. The applicant does have the ability to amend the proposal to provide addition parking and turning provision to accord with standard of 2 spaces for a 2 to 3 bedroom dwelling. As a result, Should your authority seek to approve the application I recommend that the applicant be asked to submit a revised plan to provide access with turning to accord with the adopted standard.

Comments in regards to revised set of plans: NO OBJECTION on the basis that the parking and turning area will only work provided that no structure/obstruction is erected on the red and blue line indicated in the parking area to be left for the donor property. Conditions attached in regards to the removal of permitted development rights Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 and the provision of parking and turning area.

Community Safety Neighbourhood Nuisance: NO OBJECTION

Environmental Quality – NO OBJECTION

REPRESENTATIONS There were **3** letters received from neighbouring properties concerning:

- Design & Character-out of keeping with the surrounding area
- Residential Amenity- overlooking neighbouring dwellings
- Traffic Generation
- Garage size

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS03 - King's Lynn Area

CS02 - The Settlement Hierarchy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

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
- Form and Character
- Amenity
- Highways
- Other Material Considerations

Principle of development and Planning History

The principle of development in King’s Lynn is acceptable subject to material considerations. In this case the main issue relates to the impact to the form and character of the area which is discussed in more detail later in the report.

The previous application was withdrawn following advice from the Officer that the application, 16/00177/F, would be likely to be refused on form and character issues notwithstanding the housing land supply issues at the time of the application.

This application is essentially a re-submission of that particular application.

Form and character

Concern is raised with the layout and relationship of the proposed development with respect to the surrounding area shown on the submitted plan. The form and character of the street shows the predominant pattern of development being linear and associated with the highway. The proposed dwelling set behind the dwellings along Kensington Road would

result in built development extending some distance behind the public highway into land which is currently as rear garden, broadly similar to its neighbours and characterised by trees and hedgerows. Whilst the proposal would have little direct impact on the street scene it would result in a harmful form of tandem development, clearly at odds with the existing building pattern. Tandem development proposed in such a clear existing linear pattern of built form is rarely acceptable.

It is also thought that the plot size is too confined to accommodate a new dwelling and is unable to provide sufficient outdoor amenity space for any future occupants. Accordingly it is not considered that the proposed dwelling could be sited within the boundary of the application site in an acceptable manner and would be a cramped form of development.

Amenity

The submitted proposed layout would result in a private access road running close to the boundary of the site with a neighbouring property to the east of the site. While not an ideal relationship, the vehicular activity associated with this one dwelling is not thought to be harmful to the extent that would be a reason for refusal. It is also considered that the proposal would not be detrimental to the amenities of neighbouring dwellings in terms of overbearing, overlooking or loss of light impacts.

Highways

NCC Highways in their consultation response stated that although the proposed access would accord to standard, the parking and turning would not be and would have to be addressed in order to achieve a satisfactory outcome. Following further discussions on this issue it is the view this can be dealt with by means of a suitable condition and therefore has not been included as a reason for refusal. The Highways Officer recommends further conditions in regards to the removal of permitted development rights for the erection of walls, gates, fences and other means of enclosure.

Other Considerations

The applicant's Doctor has submitted a supporting letter that refers to the applicant's need for having a single storey dwelling. Whilst the applicant's needs are noted, personal circumstances are not a material planning consideration and would not justify the proposal.

There are no other considerations as part of this application.

The Environmental Quality team have no objection to the application.

CONCLUSION

This application is for a new dwelling located to the rear of no 33 Kensington Road.

The previous application was withdrawn by the agent as the proposal was likely to be refused on form and character issues. This application is essentially a re-submission of that application.

The additional dwelling, clearly shown in all the application documentation to the rear of the site, would lead to a tandem layout, which would be harmful to the settlement pattern in the location. The proposal is also thought to be overdevelopment of the site and would not sit comfortably within the confines of the plot. Given the above these issues far outweigh the provision of an additional dwelling, and the application should be refused.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposal represents an unacceptable form of tandem development, out of character with the existing pattern of development in the area, and resulting in an unsatisfactory relationship with existing properties. It would therefore not comply with paragraph 7 of the NPPF, policies DM1 and DM15 of the Site Allocations and Development Management Policies Plan 2016 and policy CS08 of the King's Lynn & West Norfolk Core Strategy 2011.
- 2 The proposal represents an undesirable overdevelopment of the site, resulting in an unacceptably cramped form of development that would be out of character with the existing pattern of development in the area and therefore contrary to paragraph 7 of the NPPF, policy DM15 of the Site Allocations and Development Management Policies Plan 2016 and policy CS08 of the King's Lynn & West Norfolk Core Strategy 2011.