

AGENDA ITEM NO: 8/1(d)

Parish:	Crimplesham	
Proposal:	Construction of semi-detached dwellings	
Location:	Land Adjacent the Stables Main Road Crimplesham Norfolk	
Applicant:	Mr J Stephen	
Case No:	15/00732/F (Full Application)	
Case Officer:	Mrs H Morris Tel: 01553 616481	Date for Determination: 8 July 2015 Extension of Time Expiry Date: 31 July 2015

Reason for Referral to Planning Committee – The Officer recommendation is at variance with the views of the Parish Council

Case Summary

The application site lies on the south western side of Main Road, Crimplesham and comprises part of the garden area of 'The Stables', a two-storey detached residential property situated immediately north west and shown outlined in blue on the submitted site location plan.

Crimplesham is defined as a Smaller Village and Hamlet under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011). However, in accordance with the NPPF, this is currently considered out-of-date given that this Council does not currently have a five year supply of deliverable housing sites.

The application seeks full planning permission for the construction of a pair of semi-detached dwellings.

Key Issues

The key issues identified in the consideration of this application are as follows:

Principle of development;
Form and character;
Neighbour amenity;
Highway safety;
Other considerations; and
Crime and disorder

Recommendation

APPROVE

THE APPLICATION

The application seeks full planning permission for the construction of a pair of chalet type semi-detached dwellings with a new shared access created onto Main Road.

The application site lies on the south western side of Main Road within the heart of Crimbleham and comprises part of the garden area of 'The Stables', a two-storey detached residential property situated immediately north west and owned by the applicant.

Main Road comprises a mix of dwelling types and sizes. Adjoining the site to the south east is a modern detached bungalow (Keri-Keri) which is also owned by the applicant.

SUPPORTING CASE

A Design and Access Statement (DAS) has been submitted in support of the application. This advises that the proposals are for a pair of three-bedroom 1 ¾ height chalet type dwellings which gives a comfortable living space but is in keeping with the overall plot size. The dwelling also compliments the existing bungalow to the south east and house to the north west, being of a 1 ¾ height this allows for a gradual change of height along the street scene. The dwellings have been positioned to roughly follow the building line of the adjacent bungalow and give separation from the adjoining properties with a footpath provided to either side of the dwellings. The proposed eaves height would be 3.75m and the ridge height would be 7.73m.

The DAS continues by advising that the chalet dwellings have been placed and designed carefully to minimise overlooking of existing private amenity spaces. The principal elevation will face Main Road and the required amount of parking and turning space has been provided.

The boundary treatments to the SW are to either remain as an existing hedge or be replaced with a new 1.8m close boarded fence to protect the neighbouring garage wall. A new 1.8m close boarded fence is to be erected where shown on plan to allow adequate privacy for all of the dwellings, proposed and existing. The NE roadside boundary hedges are to be carefully removed and a new 1.2m fence erected behind the visibility splays. A 1.2m fence is to be used to the front of the properties up to the side entrance gates between the adjacent house and bungalow.

A lawn and patio / paved areas are to be provided to the SW gardens, also a front lawn is to be crafted around the shingled parking, turning area and chestnut tree with provision for paved footpaths to allow access to the dwelling at the front and rear.

The proposed dwellings are to be of traditional construction using materials which blend into the existing rural village setting. The dwelling will be constructed of a red multi facing brickwork, clay pantiles, A rated joinery, brick eaves details with black UPVC gutters and downpipes.

PLANNING HISTORY

There is no relevant planning history for the site.

RESPONSE TO CONSULTATION

Parish Council: OBJECT for the following reasons:

- Too close to the neighbouring properties.
- Would restrict light into 'The Stables'.
- Overlook neighbours at the rear.
- The Parish Council does not have a problem with a dwelling or dwellings on the site just the details of this application.

Norfolk County Highways: NO OBJECTION subject to the imposition of highway conditions relating to access, visibility, parking and turning.

Norfolk Historic Environment Service: NO OBJECTION.

Environmental Health & Housing – Environmental Quality: NO OBJECTION.

BCKLWN Tree Officer: NO OBJECTION subject to the imposition of a tree protection condition.

REPRESENTATIONS

ONE letter of **OBJECTION** has been received from a neighbouring resident. Their expressed concerns can be summarised as follows:

- Although we have no objection to a house going on this piece of land we object to the four dormer windows at the rear of the property that will look into the private gardens of Birchdale and Bumbles Folly.
- We would appreciate Velux windows to limit the over looking and also ask that a restriction be put on the tress at the rear boundary to stop these being felled in the future which helps to give our garden privacy when the site is developed.

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

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM2 – Development Boundaries

DM3 - Infill development in the Smaller Villages and Hamlets

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety;
- Other considerations; and
- Crime and disorder

The Principle of Development

Crimplesham is defined as a Smaller Village and Hamlet under the settlement hierarchy of Policy CS02 of the Council's adopted Core Strategy (2011). However, this is now considered out-of-date given that this Council does not currently have a five year supply of deliverable housing sites.

Paragraph 49 of the National Planning Policy Framework (NPPF) states that in such cases housing applications should be considered in the context of the NPPF's presumption in favour of sustainable development because local policies relating to the supply of housing are no longer considered up-to-date.

Paragraph 14 of the NPPF further advises that where relevant local policies are out-of-date planning permission should be granted unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies of the NPPF taken as a whole; or specific policies in the NPPF indicate development should be restricted.

In light of the above, given that the application site lies within an existing settlement the principle of development is generally considered acceptable provided that the proposal complies with all other relevant planning policies.

Form and Character

The application site comprises a gap within the otherwise built up frontage of the south western side of Main Road. Whilst no longer considered up-to-date due to the lack of a five year housing land supply, it is considered important to note that the proposal would comply with the provisions of draft Policy DM3 of the Site Allocations and Development Management Policies Pre-Submission Document (2015) which seeks to allow the sensitive

infilling of small gaps within an otherwise continuously built up frontage within the Smaller Villages and Hamlets.

The proposal would allow for a pair of modest semi-detached dwellings which would respect the existing building line along this side of Main Road, be visually appropriate in the streetscene and generally relate well to the established form and character of the area.

Neighbour Amenity

The immediate neighbouring properties to the north west (The Stables) and south east (Keri-Keri) are owned by the applicant and therefore shown outlined in blue on the submitted site location plan.

In order to allow for the proposed development the existing flank elevation conservatory on host dwelling 'The Stables' is to be demolished. There is an existing large flank elevation window towards the front of this dwelling which would overlook the proposed parking and turning area of the new development. However, a 1.2 metre fence is proposed along this shared boundary and the proposed frontage area would be within the public domain anyway. It is also considered that the position of habitable room windows and the projection of the porches on the proposed dwellings would mean that there would not be any undue overlooking or loss of privacy between 'The Stables' and the proposed units.

It is also considered that the proposal would have minimal impact on the amenity of Keri-Keri in terms of either loss of light / overshadowing, overbearing impact or loss of privacy. This is due to a minimum separation distance of just less than 7 metres between flank elevations and the fact that the proposed new dwellings would not have any principal room windows on their flank elevations. It is however recommended that a condition is imposed on any consent requiring the flank elevation windows to be obscure glazed to ensure no amenity issues.

A letter of objection has been received from the occupier of Bumbles Folly on Market Lane raising concerns that the proposed dormer windows on the rear elevations will look directly into their private garden and that of Birchdale. Birchdale abuts the application site on its western side but the rear elevations of the proposed new units would be a minimum of 9 metres from the shared boundary. Furthermore this neighbouring property has an existing garage which lies immediately adjacent to the shared boundary (as indicated on the submitted plans) therefore it is considered that there would be no material overlooking or loss of privacy to its occupiers. Bumbles Folly is situated beyond Birchdale therefore the proposed development would have minimal impact on its occupants in terms of overlooking / loss of privacy.

Highway Safety

The proposed development includes provision of satisfactory access, visibility and parking which would comply with adopted standards. As a result Norfolk County Highways have raised no objection to the proposal subject to the imposition of highway conditions relating to these matters.

Other Considerations

There is a mature Chestnut tree situated close to the front boundary of the site which is proposed to be retained. No tree survey / arboricultural implications assessment has been submitted in support of the application given that the tree lies approximately 14.5 metres from the front elevation of the nearest proposed dwelling and the development would be outside the root protection area.

The agent for the application has confirmed the position shown on the submitted plan is accurate. Taking this into account, the Council's tree officer has raised no objection to the proposal subject to the imposition of a tree protection condition.

There are no other material considerations relevant to this application.

Crime and Disorder

There are no crime and disorder issues raised by this proposal.

CONCLUSION

The proposed development would result in the provision of a pair of semi-detached dwellings on a site that currently forms a small gap within a continuously built-up frontage in the centre of Crimplesham. The principle of development is considered to be acceptable and it would be in keeping with the established form and character of the area. Furthermore the proposal would not have any material impact on residential amenity or highway safety.

As a result, the proposed development complies with the provisions of the National Planning Policy Framework (2012), Policies CS01, CS06, CS08 and CS11 of the adopted Core Strategy (2011) and draft Policies DM15 and DM17 of the Site Allocations and Development Management Policies – Pre-submission Document (2014). It is therefore recommended that planning permission be approved subject to the conditions set out below.

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: drawing nos. 1866-10A received on 8th May 2015 and 1866-11B received on 2nd July 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

- 4 Condition Before the first occupation of the dwellings hereby permitted the first and ground floor flank elevation windows shall be fitted with obscured glazing and any part of the window(s) that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window(s) shall be permanently retained in that condition thereafter.
- 4 Reason To protect the residential amenities of the occupiers of nearby property.
- 5 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan (drawing no. 1866-11B) in accordance with the highway specification drawing No: TRAD 4. 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.
- 5 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway.
- 6 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 X 59 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 0.3 metres above the level of the adjacent highway carriageway.
- 7 Reason In the interests of highway safety.
- 8 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 9 Condition No development or other operations shall commence on site until the chestnut tree to the front of the site has been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

- 9 Reason To ensure that existing tree is properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.