

## AGENDA ITEM NO: 8/3(b)

<b>Parish:</b>	Denver	
<b>Proposal:</b>	Construction of new dwelling	
<b>Location:</b>	Land Between College Farm And Meadowfield Whin Common Road Denver Norfolk	
<b>Applicant:</b>	Mr Graham Smolen	
<b>Case No:</b>	16/02028/F (Full Application)	
<b>Case Officer:</b>	Mrs N Osler	<b>Date for Determination:</b> 26 January 2017

**Reason for Referral to Planning Committee** – Called in by Councillor White.

### Case Summary

The application seeks full planning permission for the construction of 1no. new dwelling on land between College Farm and Meadowfield (Nos 12 and 14) Whin Common Road, Denver.

### Key Issues

Principle of development  
Form and Character  
Residential Amenity  
Highway Safety  
Other Material Considerations

### Recommendation

**REFUSE**

## THE APPLICATION

The application site is a narrow strip of land to the west of Whin Common Road between Nos 12 and 14.

Historically the site was a farm access track and it measures 4.4m in width at the site access with Whin Common Road increasing to 6.6m at the rear of the site. Overall the site is approximately 37m in length giving an area of c. 0.018ha.

The site is bounded to the south by the house and residential curtilage of No14 and to the north by the house and residential curtilage of No12. The eastern boundary adjoins Whin Common Road and the west abuts farmland.

The site is bounded to the south, west and north by a mixture of evergreen hedges and close boarded timber fencing.

## **SUPPORTING CASE**

The application is supported by a brief design and access statement that states:

1. A planning application for a 2 storey dwelling was submitted on 4th August 2016 under your reference no. 16/01460/F and was withdrawn on 13th October 2016, so that amendments could be considered to deal with the planning officer's concerns. These concerns related to the following:
  - 1.1 Eaves height and scale of the proposed dwelling vis-à-vis the impact upon 12 and 14 Whin Common Road.
  - 1.2 The position of the dwelling
  - 1.3 The lack of a front door
2. The revised application therefore reduces the overall eaves height of the building and it is moved away from the common boundary of No.12. The design has been revised so that it has the appearance more of a converted barn in line with other dwellings in the vicinity. The scale is very similar to the converted barn adjoining No.10, and does not compete with the single storey element of No.14. The 2 storey element of no.14 is also set further away. The planning officer's concerns regarding the overbearing nature of the conservatory to no12 is also overcome.
3. We are of the view that the proposals, as now revised, should be approved. We have varied the materials and introduced black boarding, as well as brick and pantile. The proposal provides a modest single bedroom dwelling suitable for a retired couple or single person and satisfying the needs of those who wish to downsize their properties.
4. The proposal is supported both by the Denver Parish Council and Local Members and we look forward to receiving planning permission at the earliest opportunity.

## **PLANNING HISTORY**

07/01156/F Erection of one unit for holiday accommodation - Refused

07/01719/F Erection of one unit for holiday accommodation - Refused

## **RESPONSE TO CONSULTATION**

**Parish Council:** None received at time of writing report

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

**Internal Drainage Board:** Stoke ferry IDB raises **NO OBJECTION**.

**Environmental Health & Housing – Environmental Quality:** **NO OBJECTION**.

## **REPRESENTATIONS**

None received at time of writing report.

## **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

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

## **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 issues for consideration in the determination of this application are:

- Principle of development
- Form and Character
- Residential Amenity
- Highway Safety
- Other Material Considerations

### **Principle of Development**

The site lies within the development boundary for Denver, which is classified as a Rural Village in the settlement hierarchy of Core Strategy Policy CS02. In such settlements new residual development, of an appropriate scale, is generally considered acceptable as long as it accords with other relevant planning policies and guidance.

### **Form and Character**

The applicant suggests that the current proposal addresses the officer’s concerns relating to the previously withdrawn application. However, the design issues raised were only secondary to the principle issue which is that the site is not of a size capable of

accommodating a dwelling that would respond to the character of the western side of Whin Common Road.

The site varies in width between 4.6m and 6.6m which provides for an extremely narrow and constrained site which is significantly different from the substantial detached dwellings in large plots which characterises the western side of Whin Common Road in the vicinity of the site. Development to the east of the road is more mixed with a combination of detached, semi-detached and terraced properties around the site. Whilst there are plot widths similar to the application proposal on the opposite side of the road they are occupied by terraced properties rather than detached ones and as such do not appear to be out of place.

The design proposed is a combination of single storey and 1.5 storey (5.6m to ridge) accommodation giving a modest 1-bed dwelling. However within the context of the surrounding built form the proposal is considered to be out of character and regardless of its small scale, due to the limited size of the site, represents overdevelopment.

Furthermore, and contrary to the applicant's opinion, your officers do not consider that the design is reflective of the built characteristics of the locality. In your officers opinion it resembles an outbuilding that would be more appropriate in the rear garden of one of the adjacent dwellings rather than a dwelling with roadside frontage.

Paragraph 64 of the NPPF states that development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions should be refused.

The proposed development by virtue of the limited size of the site would result in overdevelopment which would have a detrimental impact on the form and character of the locality. Consequently the proposal fails to constitute good design and does not accord with paragraph 64 of the NPPF. The proposal also fails to accord with Policy CS08 of the King's Lynn and West Norfolk Core Strategy, 2011 and Policy DM15 of the SADMP, 2016.

It is pertinent to note that both the previous 2007 applications were refused, on amongst other grounds, due to the site not being able to accommodate the proposed development. The precise reason, relating to this aspect, read, in both instances: *The proposed plot is not of a sufficient size to satisfactorily accommodate development of a standard comparable with the existing development in the area. The proposed development would, in consequence, be out of keeping with, and detrimental to, the character and amenities of the area contrary to Policy 9/29 of the Local Plan, 1998.*

### **Residential Amenity**

The development is to the south of No.12, and the 1.5-storey element of the proposal is located close to the private rear garden and conservatory of No.12. This relationship is considered poor and would result in overshadowing of an unacceptable degree to the conservatory in particular. As a point of reference the ridge height of 5.6m is well above the 2.5m height allowed under permitted development for an incidental building in a neighbouring property in such close proximity to a boundary. Whilst not directly comparable this is a useful guide as to the height above which something, in close proximity to a boundary, can begin to have a material impact on neighbouring amenity.

### **Highway Safety**

The proposal makes provision for a single car parking space, but no turning facilities are possible due to the constrained width of the site. Notwithstanding this NCC Highways have not raised an objection.

## **Other Material Considerations**

Whilst the applicant suggests that the Parish Council supports the application, no response was received from the Parish Council at the time of writing this report.

## **CONCLUSION**

Denver is considered to be an appropriate location for limited new residential development. However the size of the site is such that it is not considered capable of satisfactorily accommodating a new dwelling and the contrived layout proposed is considered to uphold this view.

The development proposed is out of character with the surrounding built form and its development would be harmful to the character and appearance of the area. Additionally whilst modest in height, the height of the proposed development, in such close proximity to the southern boundary of the neighbouring property, would result in unacceptable overshadowing. The proposal is therefore contrary to the NPPF in respect of good design and to Development Plan Policies CS08 and DM15.

It is therefore recommended that this application be refused for the following reasons.

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The development proposed is out of character with the surrounding built form and its development would be harmful to the character and appearance of the area. The proposal is therefore contrary to the NPPF in respect of good design and to Development Plan Policies CS08 and DM15.
- 2 The development proposed due to its height and proximity to the southern boundary of No.12 Whin Common Road would result in an unacceptable degree of overshadowing that would be of detriment to the amenity of occupiers of the neighbouring property. The proposal is therefore contrary to the NPPF in respect of good design and to Development Plan Policies CS08 and DM15.