

AGENDA ITEM NO: 8/3(d)

Parish:	Grimston	
Proposal:	Construction of a dwelling	
Location:	38 Philip Rudd Court Pott Row King's Lynn Norfolk	
Applicant:	Ms Molly O'Brien	
Case No:	16/01995/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 10 January 2017 Extension of Time Expiry Date: 13 February 2017

Reason for Referral to Planning Committee – The views of Grimston Parish Council is contrary to the Officer recommendation.

Case Summary

The application site lies within the development boundary of Pott Row. Pott Row combined with Grimston and Gayton is a Key Rural Service Centre.

The site forms part of the garden area to 38 Philip Rudd Court. 38 Philip Rudd Court is a two storey semi-detached dwelling.

The application seeks consent for the erection of a two storey detached dwelling on the site.

Key Issues

Principle of Development
Impact upon Visual Amenity
Impact upon Neighbour Amenity
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site is located within the defined settlement boundary for Pott Row.

Pott Row combined with Grimston and Gayton is a Key Rural Service Centre accordingly to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site is currently garden area to side of 38 Philip Rudd Court and contains hedging along the eastern boundary and fencing along the northern boundary. There is no western

boundary treatment and the site has hedging to the front. Access is achieved from a shared driveway with 5 other properties

The form and character of Philip Rudd Court contains mainly two storey semi-detached dwellings and detached dwellings that are constructed from brick. The character dwellings are rather uniformed, the properties have pitched roof porches, header treatments, brick banding and dental coursing.

The proposal seeks consent for the erection of a two storey detached dwelling with 2 parking spaces provided to the front of the property.

During the application the siting of the dwelling has been revised in order to provide more room for the cars at the front of the dwelling to reverse back and leave the property in forward gear.

SUPPORTING CASE

The agent has submitted a supporting case with the application that states the following:-

Pott Row being part of Grimston and Gayton is a Key Service Village and together they form one of the largest combined villages in the Borough.

- The layout still allows access and parking for two cars to the donor dwelling.
- Both the donor property and the new dwelling have gardens in excess of 10m depth.
- The principle windows of the proposed dwelling are front and rear and the outlook has no impact on overlooking neighbours.
- There is good screening at the end of the existing garden and mature hedging sits alongside the eastern field.
- Materials will be similar to those used on the existing properties.
- All aspects have been considered and the proposed dwelling will match the existing properties within the development.
- Its scale is proportional to the available land space.
- Both the donor property and the new dwelling will have adequate space for garden and parking.
- The impact upon neighbours is negligible.
- All in all this makes valuable use of a large piece of land which is a generous garden of the donor property, possibly a leftover of the previous development which could have accommodated an additional dwelling.

PLANNING HISTORY

2/94/1815/D: Application Permitted: 25/05/95 - Construction of 45 dwellinghouse and 4 bungalows (revised proposal)

RESPONSE TO CONSULTATION

Parish Council: OBJECTION The proposed dwelling is over intensive and cramped thus would affect both the proposed dwelling and the donor dwelling.

Philip Rudd court has parking issues and another dwelling would only exacerbate these, although parking spaces for the new dwelling are provided on plan, these are in the original turning area for the donor dwelling.

Highways Authority: NO OBJECTION

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Natural England: NO OBJECTION

REPRESENTATIONS

6 letters objecting to the original layout of the site.

- Foul Water Drainage issues
- Additional traffic will cause neighbour amenity issues
- Highway safety issues
- Loss of hedgerows
- Overdevelopment of the site
- Bland, featureless and poorly landscape proposal
- Trees and shrubs have already been removed from the site with the hedge contravening a covenant in respect to its height.
- Out of character with the existing properties which all have reasonable open space around them with landscaping features.
- Overlooking issues
- Construction hours should be restricted

4 letters objecting to the proposal with regards the revised set of plans

- Foul water drainage issues
- Noise from additional traffic movements
- The hedges on the site are subject to a planning condition on the original permission for the site that requires them to be maintained at a height of no less than 3m.
- Overdevelopment on an inadequately sized plot serviced by a drainage system that cannot support an additional property

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

CS06 - Development in Rural Areas

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

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

Principle of Development

The site lies within the defined development boundary of Pott Row. Pott Row combined with Gayton and Grimston is a Key Rural Service Centre.

Development of this scale within the Key Rural Service Centre is generally considered to be appropriate, subject other material considerations.

Impact upon Visual Amenity

The site lies tucked away on the northern side of a private shared drive that serves 5 properties and is accessed by way of a private drive from Philip Rudd Court.

The site forms part of the garden to no.38 Philip Rudd Court. 38 Philip Rudd Court is a two storey semi-detached dwelling constructed from red/orange brick with upvc windows and doors. Features in the design of no.38 and other properties in Philip Rudd Court include brick quoin detailing, contrasting brick coursing, dental coursing and curved header treatments.

The semi-detached properties on the estate have similar sized amenity spaces with the detached properties having slightly larger amenity spaces.

The proposal is for a detached property on the site scaling 8.1m (h) x 7.9m (d) x 6.7m (w) constructed from brick and tile. The property will have arched header treatments and dental coursing on the gable ends.

Parking is proposed for two cars to the front of the proposed house.

The proposed property is considered to be of a scale, siting and appearance that would conform to the form and character of the development in the locality without appearing cramped and would leave the donor property with a similar sized amenity space to others in the locality.

Impact upon Neighbour Amenity

The property is 19m away, wall to wall, with the properties to the north. This separation distance and angles between these properties overcomes any detrimental overlooking, overshadowing and overbearing issues experienced by these particular neighbours.

There are no residential neighbours to the east of the site.

The property to the south of the site, no.36, is angled in such a way in relation to the proposed property that there is no direct relationship. Nevertheless, the proposed property is some 17m away from the gable end of this neighbour and it is not considered that this neighbour's amenity will be detrimentally affected given this separation distance.

The donor property will be conscious of the new dwelling, with approximately 5m of the gable end protruding beyond the plane of the donor property's rear elevation. This will cause some overshadowing in the morning period and will be some overbearing presence upon the enjoyment of the donor properties garden area, however to refuse the application on this basis would be unreasonable.

No other neighbours are materially affected by this proposal.

The residents in the close have raised concerns in regards to noise and disturbance caused by additional traffic movement associated with the new dwelling. It is considered that the proposal would be likely to generate two additional cars and their subsequent movements. The subsequent movements of the two additional cars which are likely to be at low speed given the single car width driveway would cause minimal disturbance to these neighbours.

Given the scale of the development (1 dwelling) it is not considered to be reasonable to impose a construction management plan that would restrict the hours of construction and delivery times of construction vehicles.

Highway Safety

Access to the site is from a shared drive leading off Philip Rudd Court.

The highways officer has no objection to the intensification of this access.

Other Material Considerations

Third Party representations are concerned about foul water drainage issues. The foul water is described as going to the main sewer which is acceptable method of dealing with foul water drainage.

Third parties raise issues about a breach of condition 3 of the original consent for the estate (2/94/1815/D). The condition states that the height of the hedges should not be reduced below a height of 3m without the written consent of the authority. The breach of condition has been raised with the planning enforcement team.

CONCLUSION

The application seeks consent for the erection of a two storey detached property in the garden area of no.38 Philip Rudd Court. It is your officer's opinion that the scale, design and appearance of the dwelling would be appropriate and would conform to the form and character of dwellings in the locality.

The internal layout and siting of the dwelling has managed to avoid detrimental visual and neighbour amenity issues and there are no highway safety issues arising from the proposal.

The proposal is therefore considered to be appropriate 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 Site Plans drawing no. 2017-01 A dated 9th December 2016
 - Proposed Plans and Elevations dated 31st October 2016
 - Proposed Site Section dated November 2016
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 3 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 4 Condition The 1.8m close boarded fencing between the donor property and the dwelling hereby approved shall be erected prior to the occupation of the dwelling hereby approved.
- 4 Reason In the interests of the residential amenities of the future occupants of the development in accordance with the NPPF.