

AGENDA ITEM NO: 8/1(f)

Parish:	Harpley	
Proposal:	Proposed new dwelling	
Location:	Land To the Rear of 11 Cross Street Harpley King's Lynn	
Applicant:	Andy Spooner Developments Ltd	
Case No:	15/01023/F (Full Application)	
Case Officer:	Mr C Fry Tel: 01553 616232	Date for Determination: 26 August 2015 Extension of Time Expiry Date: 10 September 2015

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

Case Summary

The site lies within Built Environment Type C according to Local Plan Proposals Maps for Harpley. Harpley is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site comprises the garden area to 11 Cross Street Harpley and is elevated above Back Street and Church lane.

Planning permission was granted under delegated authority for a single storey dwelling under reference 14/00930/O with all matters reserved.

The proposal seeks consent for a 2 storey cottage style dwelling and lean to carport.

Key Issues

Principle of Development and Planning History
Impact upon Visual Amenity
Impact upon Neighbour Amenity
Highway Safety
Trees

Recommendation

APPROVE

THE APPLICATION

The site lies within Built Environment Type C according to Local Plan Proposals Maps for Harpley. Harpley is classified as a "Rural Village" according to Policy CS02 of the King's Lynn and West Norfolk Local Development Framework.

The site comprises the garden area to 11 Cross Street Harpley and is elevated above Back Street and Church lane. Hedging and trees form the southern and eastern boundaries of the site. On site there is a driveway (from Church Lane) that leads up to a double garage and single garage to the donor dwelling.

The form and character of the locality comprises of single and two storey properties. Cross Street has older pre-1914 forms of development; Back Street contains 1950's-1960's development and older forms of development and Church Lane, immediately to the west of the site contains modern detached bungalows.

Outline planning permission was granted with all matters reserved for a single storey dwelling on the site under reference 14/00930/O.

The proposal seeks consent for a cottage style dwelling and lean to carport. Part of the site will be excavated in order to reduce the impact of the dwelling in the street scene resulting in its ridge being only 0.5m above the adjacent bungalow ridge line. The property will be constructed from Norfolk Red Stock facing brick with flintwork infill to the south and east elevation, clay pantiles, and timber painted doors and windows. The rear elevation will be clad in timber.

Boundary treatments will include 1.8m close boarded fencing to the western boundary; hedging on the south and east boundaries.

SUPPORTING CASE

The application has been supported by a Design and Access Statement:-

- The application seeks consent for a 13/4 height detached dwelling on land to the rear of 11, Cross Street, Harpley
- The site is accessed via Church lane and is approximately 115m west of the junction between Church Lane and Back Street. The site is located within Built Environment Type C according to the 1998 local Plan, where development is appropriate, providing it enhances the form and character of the area.
- Parking and turning is provided to the front of the site on existing garden land that serves No.11. Other works involve the demolition of an existing sectional garage used for storage and upgrade the access
- An arboricultural report has accompanied the application.
- An outline application (14/00930/O) was approved by the Local Authority with all matters reserved.
- A traditional cottage design on this prominent corner site close to the older properties of the village.
- The site is a prominent corner site close to the older properties of the village. Cross Street has many older Victorian two storey flint faced and rendered cottages all predating 1914 and just across the corner from this site is Flint Cottage a more modern two-storey flint faced property.
- The design follows the flint faced buildings with a view to lessening its height within the site so as to reduce its impact but importantly provide a traditional cottage to compliment the similar traditional flint faced houses which surround the site.
- Site levels are reduced to account for the re-graded access and to accommodate the ridge height in the street scene.
- The dwelling has been positioned to follow the building line of the adjacent bungalow and give separation from the adjacent property with a footpath.
- The dwelling has been designed carefully to minimise overlooking of existing private amenity space. The principal elevation will face Church Lane.

- Western boundary will either remain or be replaced with a new 1.8m close boarded fence. A new 1.8m close boarded fence is to be erected on the northern boundary of the site. The eastern and southern roadside boundary hedges are to be maintained and retained, except where shown on the site plan.
- The house will have a lawn and patio/paved areas.
- The proposed dwelling will be constructed from Norfolk red stock facing brickwork with flintwork infill to the South and East elevations, clay pantiles. Timber painted joinery, painted timber boarding to northern elevation single storey section, painted timber fascia/bargeboards with exposed rafter feet eaves detail with black UPVC gutters and downpipes.
- The access driveway is to remain at the same width and position but upgraded to a maximum of 1:12 gradient and hard surface to NCC Residential Construction for first 5m into the site and shingle to the rest.
- The access will remain the same width to serve the new dwelling. Visibility to the junction with Back Street can be maintained as it is the applicant's control.

PLANNING HISTORY

14/00930/O: Application Permitted: 21/08/14 - Outline application for a residential development

CONSULTATIONS

Town/Parish Council: OBJECTION the original outline planning permission was for a single storey dwelling

Local Highway Authority (NCC): NO OBJECTION subject to condition

Arboricultural Officer: COMMENTS that a tree protection plan is required and the plan imposed on the layout to assess if there is any detrimental impact on the trees.

Environmental Health and Housing – Environmental Quality: NO OBJECTION

REPRESENTATIONS

None received

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

PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

4/21 - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

8/1 - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

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

- Principle of Development and Planning History
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Trees

Principle of Development

The site is contained within Built Environment Type C and within a village which is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011. Additionally, the site benefits from an outline planning permission for the erection of a single storey detached property.

The principle of developing a house on the site is therefore accepted.

Impact upon Visual Amenity

The Parish Council raises concerns about the roofline of the proposed dwelling being higher than the neighbouring bungalows and they feel that the design drawing references from Back Street and Cross Street should not be considered as a valid reason for building above single storey.

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 56 of the National Planning Policy Framework states that Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Paragraph 17 of the National Planning Policy Framework, core planning principles, states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

The development within this part of Harpley is mainly linear; containing single storey detached properties adjacent to the site and two storey cottages and infill properties to the north and east. The cottages on Cross Street have large gardens that have been subdivided to create single storey dwellings that front Church Lane. Agricultural land lies opposite to the south.

The site forms the garden area to 11 Cross Street, Harpley. The site slopes quite sharply away to the south. Currently there is a sectional shed on the site and partially hard surface driveway that leads to an existing garage to the donor property. Boundary treatments consist of established hedging and trees on the eastern and southern boundaries and 1.8m lap boarded on the western side. The site is elevated above Back Street and Church Lane.

The proposed dwelling is 2 storey in height with dormer windows on the south elevation (front). However it is rather modest with its eaves height at 4.4m and its ridge height at 7.3m. The property will have a carport attached to the western side of the property. The property will have a single storey mono-pitched element to the rear clad in timber.

The existing vehicular access to the site will be altered to provide a suitable gradient for access. The banking that flanks the access will have a supporting wall. 1.8m close boarded fencing will separate the property from the donor plot.

The scale of the property is not considered to dominate the site and the ridge height of the property is only 500mm above the ridge height of the adjacent single storey properties by virtue of excavating 1m depth of soil from this part of the site. Had there been no excavation, the ridge height of the property would have been 1.5m taller than the neighbouring property (7.3m above ground level compared to 5.8m) rendering it unduly prominent. The site is elevated above Back Street; although the property is sited 6.4m from the roadside edge. This side elevation of the property will therefore not be prevalent in the street scene. The hedging and trees will also act to soften this elevation.

The rear elevation of the property will be seen from Cross Street heading into Back Street but this will be in passing as Back Street slopes away heading south quite sharply.

The resultant space left for the donor property is considered to be acceptable.

Subject to a sample panel of materials it is considered that the proposed property, albeit no longer single storey would not cause a detrimental impact upon the street scene.

Impact upon Neighbour Amenity

The proposed property is sited adjacent to a single storey detached property “End Cottage” and to the rear of 11 Cross Street, a two storey property.

The western neighbour “End Cottage” has small a window contained in their flank elevation, adjacent to the carport. However the carport’s roof leans away from the neighbour and the house’s presence is not considered to cause a detrimental overbearing impact upon the enjoyment of this room. The proposed property does project beyond the line of the rear elevation of this neighbouring property; however there is 1.8m close boarded fencing along the shared boundary and the proposed property is 1.3m below existing ground level. No windows are contained at first floor in the west elevation of the proposed property. The nearest window in the roofslope of the proposed property to this neighbour serves a bathroom, a non-habitable room and this relationship is acceptable.

The donor property is, “11 Cross Street”, flank elevation is some 30m away from the rear elevation of the proposed property and with the proposed property being on lower land than the donor property it is considered that there is minimal impact upon the donor property’s amenity space.

The neighbours to the east of the site are a considerable distance from the proposed property. It is considered that these neighbours are not materially affected by the proposal.

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

Highway Safety

The Parish Council are concerned about the loss of on-site parking to the donor property, resulting in a parking hazard on Cross Street at its junction with Back Street.

The highways officer commented on this particular issue during the outline planning application. The Officer commented that “upon assessment of Cross Street, in the vicinity of the site, the road is well aligned and of suitable width not to be compromised by on-street parking.” The limited level of additional on-street parking would not be detrimental to highway safety.

The proposed property will have a lean to carport and two parking spaces to the front which is in line with Policy DM `17 of the Draft Development Management Plan Document which requires for a 3 bedroom property – 2 off-road parking spaces.

The existing access serving the donor property is very steep. This will be re-graded to a shallower gradient.

The highways officer has no objection to the proposal subject to condition that the parking is laid out as shown.

Trees

The proposal will involve the removal of one tree and the realignment of a hedgerow along the eastern boundary of the site. The property has been sited that it should not detrimentally affect the Root Protection Area of the retained trees.

The Arboricultural Officer has requested a tree protection plan and the tree protection plan super-imposed over the layout of the site. An amended plan has been received that imposes the RPA of the trees on the site and allows for the offsetting of the RPA by up to 20% of the trees along the western boundary of the site. The amended plan conforms to the findings in the Arboricultural Report. Conditions are to be attached to produce a tree protection plan and further details in regards to foundation design and ground protection measures to avoid the compaction of the topsoil on the site.

CONCLUSION

Members will need to consider whether the proposed cottage style dwelling is an appropriate form of dwelling in this locality.

It is your officer's opinion that the dwelling, by virtue of excavating part of the land upon which the dwelling will be sited, will not be unduly prominent in the street scene, and is of a design and uses materials that will enhance the street scene.

The proposed property is also of a scale and design so as not to cause any detrimental impact upon neighbour or visual amenity subject to condition.

The highways officer's recommended conditions will be attached to the decision notice, should the application be approved

The Arboricultural Officer's concerns can be adequately addressed by condition.

The proposal is compliant with the provisions of the National Planning Policy Framework; National Planning Practice Guidance; Policies 4/21 and 8/1 of the King's Lynn and West Norfolk Local Plan 1998 and Policies CS06,08,09,11 and 12 of the Local Development Framework Core Strategy 2011 and draft Development Management Policies DM 15 and 17 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, Elevations and Sections drawing no.1923-02 dated June 2015 received 30th June 2015.
 - Proposed Site Plan and Sections drawing no.1923-03c dated 12th August 2015 received 14th August 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

- 3 Condition Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding details received, no development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have 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 and ground protection measures 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 and agreed ground protection measures 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 or ground protection measures are removed and or 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.
- 5 Reason To ensure that existing trees and hedgerows are 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.
- 6 Condition No development shall commence on site until large-scale plans showing the method of foundation construction have been submitted to and approved in writing by the Local Planning Authority. The foundations shall be constructed in accordance with the approved details.
- 6 Reason To ensure that existing trees and hedgerows are 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.