

AGENDA ITEM NO: 8/1(h)

Parish:	Ingoldisthorpe	
Proposal:	Demolition of existing dwelling and construction of 2No. new dwellings (revised design)	
Location:	The Shieling Sandy Way Ingoldisthorpe King's Lynn	
Applicant:	Mr D Heffer	
Case No:	15/01045/F (Full Application)	
Case Officer:	Mr C Fry Tel: 01553 616232	Date for Determination: 28 August 2015

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

Case Summary

The site lies within Built Environment Type D according to Local Plan Proposals Maps for Ingoldisthorpe and within a “Rural Village” according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The proposal seeks consent for demolishing the existing detached property on the site and constructing a pair of semi-detached chalet style properties.

Key Issues

Principle of Development and Planning History
Impact upon Form and Character
Impact upon Neighbour Amenity
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site lies within an area designated as Built Environment Type D according to Local Plan Proposals Maps for Ingoldisthorpe. Ingoldisthorpe is classified as a Rural Village according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The site currently accommodates a hipped roof detached bungalow with parking to the side. The adjacent dwellings are either chalet bungalows or conventional bungalows with off road parking. The site is screened from Sandy Way by high hedging.

The site has had a recent planning application refused for two detached dwellings that was refused for 4 reasons. The properties advocated a poor design, cramped form of development, overbearing issues upon the neighbours and inadequate off road parking provision.

This application has sought to overcome the reasons for refusal by applying for a pair of semi-detached properties, set back on the site with their ridge lines parallel to the road. By setting back the properties more parking is provided.

THE SUPPORTING CASE

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

- The site is at present one of the older bungalows on Sandy Way, with a plot area of almost 35m deep and about 20m width one third wider than the other plots on the eastern side. Advice was given on a preliminary sketch scheme that pair of homes would be practical on this site, and acceptable amongst the variety of styles in these two streets of predominantly 1950s-1970s
- South is a tall steep-roofed chalet style house with various garden structures on or close to the garden boundary, and to the northwest a small bungalow in a very small square corner plot.
- A high hedge around a side garden dominates the west side of the street opposite the plot.
- The form and character of this area in recent building tends to be in modern chalet styles, which are of varied sizes; the older southern part of Sandy Close includes houses and semi-detached properties, and the northern part has a number of chalets with roof dormers.
- This scheme is a revision to a recently refused scheme 15/00258/F for 2 detached chalet style homes in May 2015. The scheme was refused as the house layout appeared to be cramped and an overdevelopment, the design elements were vertically dominant and un-neighbourly in relation to the homes to the south and north, and the parking space was insufficient for homes with 3 bedrooms.
- The revised scheme has reconsidered all elements and returned to a semi-detached scheme in chalet style – 3 bedroom homes with consequent lesser demand for car parking and less site coverage overall. The re-design presents a ridge parallel to the street, a short rear wing as paired gables to achieve the same roof pitch for an attic bedroom.
- There are dormer windows in the front roof slope, as is widespread amongst newer homes in this part of Ingoldisthorpe, and the gables look down their own back gardens.
- This part of the village is a Built Environment Type D in the 1998 Local Plan.
- The precise siting of the new building takes account of the overshadowing comments made concerning the first application. The main ridge line is proposed to be behind that of “Coneywood” to the south, enabling more light to the unusual side gable window in that house, and particularly to enable southerly sunlight to reach the small garden of “Leaves Green” on the corner to the north.
- The redesign of the interior has resulted in an arrangement of front door and attic windows which are not imposing or dominant, and relate well to the scale of the roof slope. A strict symmetry between the ground floor and attic windows was found to be not helpful to the cohesion and balance of the frontage design when redesigned as a semi-detached pair of houses.
- Parking and turning space is fully available for the two car spaces required with each homes, using a central joint access. This part of the village has the most frequent

public bus service outside the King's Lynn town area, and there is ready access to a wide range of facilities in Dersingham and Snettisham.

PLANNING HISTORY

15/00258/F: Application Refused: 13/04/15 - Demolition of existing dwelling and construction of 2no. new dwellings -

CONSULTATIONS

Town/Parish Council: OBJECTION overbearing on the neighbours and plot too small

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

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions

REPRESENTATIONS

Two letters of objection received citing the following:-

- Noise and increases in heavy vehicular traffic in the area both during demolition and construction, with the possibility of damage to roads and their infrastructures. Also increased congestion on very narrow roads.
- Possible structural damage to adjacent properties
- Overlooking issues
- Overbearing issues
- Overshadowing issues
- Noise and disturbance
- Out of keeping with development in the locality.
- Overdevelopment
- No garage provision
- Traffic issues
- Reduced amenity space

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

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

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

PLANNING CONSIDERATIONS

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

- Principle of Development and Planning History
- Impact upon Form and Character
- Impact upon Neighbour Amenity
- Highway Safety
- Other Material Considerations

Principle of Development and Planning History

The site lies within an area designated as Built Environment Type D and within a village which is classified as a rural village according to policy CS02 of the Local Development Framework Core Strategy 2011.

Within Built Environment Type D and a “rural village” development which is of a scale appropriate to secure its sustainability will be permitted subject to satisfying other material considerations.

Furthermore, given that the Council does not currently have a five-year supply of deliverable housing sites, housing applications such as this should be considered in the context of the National Planning Policy Framework’s (NPPF’s) presumption in favour of sustainable development. This is because local policies relating to the supply of housing are no longer considered up-to-date (para 49). Paragraph 14 of the NPPF states 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 this case the application site lies within the settlement of Ingoldisthorpe which is a sustainable location. As a result there is a presumption in favour of development in this area. The site has had a recent planning application refused on the site for an “L” shaped detached chalet dwellings. The application was refused on 4 grounds:-

1. The proposed dwellings were an overdevelopment of the site, resulting in a cramped development, by virtue of the lack of space between the dwellings. This would be out of character with the existing pattern of development in the area.
2. The proposed dwellings are considered to be of poor design, appearing unduly vertically dominant by virtue of the large visual mass of roofslope and dormer on the front elevation. The properties appear out of proportion and ultimately out of keeping with the design of nearby dwellings and would have an undesirable impact on the overall appearance of the area.
3. The proposed dwellings by virtue of their scale, specifically their height, massing and siting, represent an undesirable and unneighbourly form of development, detrimental to the amenities of occupiers of adjacent residential properties, namely Coneywood and Leaves Green, particularly by reason of the overbearing impact upon these properties
4. The proposed dwellings provide 4 bedrooms each and should provide for 3 parking spaces per dwelling in accordance with Norfolk County Council’s adopted standards set out in ‘Norfolk Parking Standards 2007’. The parking court layout to the front of the properties as shown on Site Plan drawing no. 1022-12b is not deep enough to provide sufficient parking within the site, leading to vehicles reversing onto the public highway and to an increase in on-street parking to the detriment of highway safety

This proposal seeks to overcome these 4 reasons for refusal by re-siting and re-designing the dwellings.

Impact upon Form & Character

Third Party representations and the Parish Council raise concerns about the development being too cramped and out of character with the street scene.

Linear development of single storey and chalet style dwellings characterises the area.

The site contains a single storey hipped roof bungalow and detached garage to the side.

The proposal seeks consent to demolish the existing bungalow and construct a pair of semi-detached chalet dwellings. The semi-detached chalet dwellings will have a parallel ridge line to the road with pitched roof dormers on the front elevation. The chalet dwellings will have pitched roof two storey extensions at the rear. Other features to note include the erection of porches on the front elevation of the properties.

The properties scale 6.2m (h) max dropping down to 5.95m (h) max on the rear elevation; eaves height is at 3m. The two storey rear projection steps in from the side elevation by 0.6m.

The northern most semi-detached property is set back from the pavement by 11.6m and from the northern boundary by 2m (max). The southern-most semi-detached property is 1.8m at its closest point to the southern boundary.

The depth of amenity space to plot 1 is 10.2m and plot 2 9.8m.

The revised proposal is considered to have overcome the form and character reasons for refusing the last scheme. The first reason related to the proposal being a cramped form of development, by virtue of the spacing between the proposed and existing dwellings. By revising the scheme to provide a pair of semi-detached dwellings as opposed to two detached properties more room has been provided between the pair of semi-detached properties to the adjacent neighbours. The gap between the southernmost chalet and "Coneywood" has been increased by up to 1.2m (3m from shared boundary as opposed to 1.8m) by stepping in the rear elevation of the property and the gap between the northern most semi-detached unit and the house to the north has now increased by 1.1m. This reason for refusal has been adequately addressed.

The second reason for refusing the previous application related to the poor design of the detached dwellings. The detached dwellings appeared as truncated semi-detached dwellings, with a large visual mass of roof and large dormer window on the front elevation dominating their appearance. The properties were out of proportion and out of keeping with the adjacent dwellings.

By reverting to a pair of semi-detached chalet dwellings with a ridge line parallel to the road and dormers of an appropriate size to the visual mass of roof, the chalet bungalows are considered to advocate good design. The rear extensions whilst appearing rather squat are not visible from the public domain.

The hardstanding parking and turning areas are considered to be acceptable.

Impact upon Neighbour Amenity

Third Party representations and the Parish Council are concerned about the proposal causing overshadowing, overbearing and overlooking issues. Additionally noise from the construction of the dwellings and general noise from the occupiers of the dwellings would be unacceptable.

"Coneywood", the property to the south of the site, adjacent to plot 2, has a bedroom window at first floor in its flanking elevation. However the setting back of plot 2, by a further 4m into the site compared to the previous submission, will mean that only part of the gable on the south elevation of the new house to Coneywood will be evident from this window along with the roof of the dormer. This overcomes the overbearing impact upon this neighbour.

In terms of the over-looking and over-shadowing, the high level rooflight on the south elevation roofslope will serve an en-suite only, a non-habitable room. Being sited due north of this neighbour there would be no detrimental overshadowing impact upon the amenity space. The two storey rear projection of plot 2 is some 2.4m away from the shared boundary of the site. With the eaves height at 3m and the roof height only 5.95m high the two storey rear projection is not considered to cause any detrimental overbearing impact.

"Leaves Green", the neighbour to the north of plot 1, benefits from a small amenity space. The northern most semi-detached property is set back from the shared boundary by 2m and with its siting more than 11m back from the pavement, only 5m of the northern elevation of the property will be prevalent to this neighbour. Whilst the semi-detached dwellings are 1m taller than the existing hipped roof bungalow on the site, setting the proposed bungalows back on the site, beyond the footprint of the existing bungalow, will avoid the detrimental overshadowing of this neighbour's property. By revising the siting of the dwellings in this application, the overbearing issues with this previous application have been addressed. The window to the dining area and living area will be positioned beyond this neighbour's

boundary and behind. Additionally the velux window in the north elevation serves a bathroom, a non-habitable room.

The neighbour to the rear of the site would not be detrimentally affected by virtue of the separation distance of 10m from the rear of the properties to the shared boundary. Outlook from the windows on the rear of the property will be towards the rear of this neighbour's long garden and not immediately into a private amenity area. The neighbour on 55 Lynn Road is 28m away from the rear elevation of the proposed property.

The neighbours opposite the site are some 15m away from the proposal and are therefore not considered to be unduly affected.

The noise experienced during the construction of the dwellings will be for a minimal period and it is not considered necessary to impose a planning condition in this respect. The use of the site for residential purposes is already deemed to be acceptable and it would be unreasonable to refuse the application on the grounds of noise and disturbance from additional residential accommodation.

Highway Safety

Third Party representations are concerned about the increase in the number of vehicles using Sandy Way.

The Highways Officer has stated that the site provides an improved means of access and adequate parking and turning provision and has no objection to the proposal subject to conditions in respect to the laying out of the access as indicated on the submitted plan 1022-15b; in respect of the removal of permitted development rights for the erection of gates, bollards and chain or other means of obstruction, the securing of a 2m parallel visibility splay and proposed access, and on-site parking and turning area being laid out in accordance with the plans.

Other material Considerations

Third Party Representations are concerned about the damage to roads, infrastructure and structural integrity of the adjacent properties during the construction period. Any damage to the public highway would need to be reported to Norfolk County Council and any damage to adjacent properties would need to be addressed through civil action. However both issues are not considered to be material planning issues.

The Environmental Quality team has no objection to the proposal subject to conditions.

CONCLUSION

Members will need to consider whether the proposal has overcome the four reasons for refusing the last application. The proposed detached properties were cramped on the site, of poor design, caused unacceptable overbearing issues upon adjacent neighbours and not serviced by adequate parking provision.

It is your officer's opinion that the revised semi-detached chalet dwellings are considered to be of a scale, siting and appearance as to overcome the reasons for refusing the 2 detached dwelling scheme.

The revised scale and siting is also considered to overcome the overbearing impact of the previous scheme advocated. Stepping the pair in from the shared boundaries also

overcomes the cramped form of development that the detached properties previously advocated. Finally, the design of the proposed chalet dwellings are considered to be acceptable, and suitable parking arrangements are provided. Subject to conditions the proposal is considered to constitute sustainable development and complies with the provisions of the National Planning Policy Framework and National Planning Practice Guidance and relevant policies of the Local Plan.

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 and Elevations drawing no. 1022-15b dated 17th July 2015 received 17th July 2015.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 3 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 4 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 5 Condition Prior to the commencement of the use hereby permitted the vehicular access (indicated for improvement on drawing no. 1022-15b) shall be upgraded/ widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 2 metres as measured back from the near channel edge of the adjacent carriageway. 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 In the interest of highway safety and traffic movement.
- 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 2 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage (and additionally along the flank frontage of the adjacent property as outlined in blue on the submitted details). The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 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 and turning area shall be laid out 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.