

Parish:	Syderstone	
Proposal:	Outline Application: Erection of two new single storey dwellings	
Location:	The Limes Rudham Road Syderstone King's Lynn	
Applicant:	Mrs Francis	
Case No:	16/02007/O (Outline Application)	
Case Officer:	Mr Tim Slater	Date for Determination: 12 January 2017 Extension of Time Expiry Date: 3 February 2017

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

Case Summary

The application is made for outline planning permission for the demolition of the existing bungalow and erection of 2 new bungalows on land at The Limes, Rudham Road, Syderstone.

Key Issues

- Principle of development
- Form and Character
- Amenity
- Highways
- Trees

Recommendation

REFUSE

THE APPLICATION

The application is made in outline with access committed and all other matters reserved, for two dwellings. There is an existing single dwelling on the site.

The site consists of the curtilage of 'The Limes' which is a small dilapidated bungalow located to the south east side of Rudham Road some 100m from its junction with The Street.

The site is linear in form with the northernmost part of the site containing the existing bungalow and its obvious domestic curtilage, the southern most part of the site is largely overgrown with substantial hedges around the southern and western boundaries. Trees on the eastern boundary have been removed.

The development boundary within the Site Allocations and Development Management Policies Plan dissects the curtilage with the northern/north eastern section within the boundary but the southern section is outside.

SUPPORTING CASE None submitted

PLANNING HISTORY None

RESPONSE TO CONSULTATION

Parish Council: SUPPORT - subject to the line of trees at the frontage of the site being surveyed in order to ensure adequate access to the proposed site is provided.

Highways Authority: OBJECT- A pre-requisite requirement for the use of an access for multiple dwellings would be a minimum width of 4.5m to allow two cars to pass off highway, so as not to obstruct the free flow of traffic on the Rudham Road.

Having carried out my site appraisal it is noted that the separation of the two trees flanking the access, measures less than 4m, restricting the access width, below the required width of 4.5m.

Therefore as presented the development would be considered to be detrimental to highway safety, unless the two trees were removed, to enable widening of the access, therefore, I request that this response be considered to be a holding objection until such time that a suitable access arrangement is presented.

Environmental Health & Housing – Environmental Quality: NO OBJECTION in principle subject to conditions relating to the proper disposal of any potential asbestos on site.

Arboricultural Officer: NO OBJECTION in principle but I will need to see a tree survey to BS 5837:2012 should this application reach the next stage. It is worth noting that the trees on the Northern edge of the proposed form an attractive and useful screen and should be retained.

REPRESENTATIONS

There have been two objections and three representations making comments but neither supporting nor objecting. The following comments have been made:

- Object to the second bungalow that is set back the top of the garden
- When I enquired about building set back and was told by the council you would never allow building back that far.
- This application has gone in exact time as the nursery has gone for sale with an unknown buyer offering well over the asking figure.
- If you allow building top of that garden linking to the field you are opening that up for more building on the field
- This is a very pretty area linking into the common this area should not be ruined by housing
- The site plan fails to indicate that the land to the southern end of the plot is at a higher elevation than at the roadside. Therefore, the second bungalow that would be built at

this location would have foundations approximately 1.5-2 metres above those of the 4 properties that currently lie to the southwest of the site. This would mean that these 4 properties could be overlooked in a way which could be deemed to be highly intrusive.

- I would therefore request that it should be a condition of Planning Permission, (should it be granted) that an appropriate screen or hedge should be maintained at a height of approximately 2metres to ensure privacy
- I do not object to the building of the bungalows.
- I object to the cutting down of healthy trees which have formed a part of the local amenity of Rudham Road for over 100 years. If the Lime trees prove to be in a dangerous condition then I would withdraw my objection but if they are still healthy then could they not be cut back or pollarded? I would like it to be a condition of the planning application that the lime trees should be assessed by a qualified tree specialist.
- The present house to be replaced is called 'The Limes'. If the trees have to be taken down then can a condition be made for new Lime trees be replanted in their place?
- Concerns regarding privacy
- Recommend planning conditions so as to prevent apertures opening out onto the eastern wall of the development; thereby protecting our privacy
- Request a condition be included that an appropriate screen or wall at a height of approximately 2 metres be included to ensure the continuity of privacy
- The hedge and fence that borders my home are not to be touched
- No building or part of it should be erected nearer to my fence than exists at the moment
- I do not wish to lose sky or that my home is made darker, that visual intrusion is not increased and to guard against noise pollution
- The 2nd property will be out of the building line
- Concerns about overlooking from windows and light pollution
- Object to any power or other lines crossing my garden
- Concern about loss of light to house and the possible danger from the cupressus trees on the boundary in particular to the foundations of my neighbouring house if allowed to grow too high
- Request the cupressus and laurel are removed in the course of rebuilding

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

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

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DM15 – Environment, Design and Amenity

DM21 - Sites in Areas of Flood Risk

PLANNING CONSIDERATIONS

Principle of development

Syderstone is depicted in the Core Strategy as a Rural Village where limited minor development will be permitted which meets the need of settlements and helps to sustain existing services in accordance with Policy CS06. However, although the whole site appears to be formed by the dwellinghouse and its curtilage, the rear (southern) part of this application site falls outside the village boundary. Policy CS06 refers that beyond the villages and in the countryside the strategy will be to protect the countryside for its intrinsic character and beauty, the diversity of its landscapes, heritage and wildlife, and its natural resources to be enjoyed by all. The development of greenfield sites will be resisted unless essential for agricultural or forestry needs.

Given the narrow shape of the site and the restrictive options for additional units, weight is attached to the indicative layout put forward. The Design and Access Statement also makes it clear that this forms how they see the site developed. Consequently the layout indicated on the submitted plans would result in development beyond the settlement boundary. The whole of the second dwelling shown on the indicative plans would be outside the confines of the village. By virtue of its location outside of the village boundary, the development of the built form of a dwellinghouse would be harmful to the distinct rural character of the site and would extend the built form of the village into the countryside. The proposed development is therefore contrary to local policy and national planning guidance contained in the NPPF which seek to resist residential development in the countryside and direct residential development to sites within the confines of existing settlements.

Form and character

Concern is also raised to the resulting tandem layout of the proposed development shown on the submitted plan. The form and character of the village shows the predominant pattern of development being linear and associated with the highway. The proposed dwelling set behind the dwellings along Rudham Road would result in built development extending some distance behind the public highway into land which is currently an informal rear garden, broadly similar to its neighbours and characterised by trees and hedgerows. Whilst the proposal would have little direct impact on the street scene it would result in an unsympathetic form of development, clearly at odds with the existing building pattern.

It is noted that the submitted tandem layout is indicative. However, when considering other configurations for the layout of two dwellings the site is considered to be too narrow to provide two dwellings at the northern part of the site close to Rudham Road and maintain the character of the existing surrounding development. Accordingly it is not considered that two dwellings could be sited within the boundary of the application site in a manner sympathetic to the local setting and pattern of adjacent development. This would be contrary to national and local plan policy.

Amenity

The submitted proposed layout would result in a private access road running close to the boundary of the site with an adjoining property and alongside the proposed house at the front. As stated above weight is put on this layout even though the application is in outline.

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Planning Committee
3 July 2017

Third party concern has been raised regarding impact on neighbour amenity, with particular concerns in regard to overlooking and ground level changes. It is considered that any concerns regarding significant overlooking could be addressed through appropriate boundary and planting schemes, and would not give rise to objection at this outline stage.

Highways

The Highways Authority has objected to the proposal (see above) due to the requirement for the use of an access for multiple dwellings to be a minimum width of 4.5m to allow two cars to pass off highway, so as not to obstruct the free flow of traffic on the Rudham Road.

Whilst the existing access is sub-standard it would be acceptable for a single dwelling on a one for one basis, however the additional dwelling brings an intensification and a requirement for a wider access.

In this case there are existing significant trees at the front of the site which restrict the available width for access into the site to less than 4m.

Therefore unless the two trees were removed to enable widening of the access to cater for the additional dwelling the development is considered to be detrimental to highway safety.

Trees

There are significant trees on the site. Insufficient information has been provided with the application with regard to the trees or their state of health, in the form of a tree survey, or root protection areas.

Whilst the arboricultural officer raises no objection in principle, it is noted that the trees on the roadside edge of the site form an attractive and useful screen and should be retained. It is proposed that the trees are protected by a Tree Preservation Order, and this has been served. The trees can be cut back at their base to re-open the existing access wide enough for an additional dwelling.

CONCLUSION

This application is for two dwellings on a long relatively narrow plot, to replace the existing single dwelling fronting Rudham Road. Whilst the replacement of the dwelling would be acceptable, the additional dwelling, clearly shown in all the application documentation to the rear of the site, would lead to a poor layout, tandem in form, that would also extend into the countryside. In addition, it is considered important to retain the trees along the frontage, and that in itself constrains the site for an additional dwelling, as the remaining access is too narrow to meet highway standards. Given the above these issues far outweigh the provision of an additional dwelling, and the application should be refused.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Syderstone is depicted in the Core Strategy as a Rural Village where limited minor development will be permitted which meets the need of settlements and helps to sustain existing services in accordance with Policy CS06. However, the southern part of the site is outside the confines of the village where the development of the built form of a dwellinghouse (as shown in the application supporting documentation) would be harmful to the distinct rural character of the site and would extend the built form of the

village into the countryside. The proposed development would therefore be contrary to local policy, including Policy CS01, CS02, CS06, DM1 and DM2 and national planning guidance contained in the NPPF which seek to resist residential development in the countryside and direct residential development to sites within the confines of existing settlements.

- 2 The development of two dwellings on this site, as shown on the block plan submitted and described in the supporting documentation would create a tandem layout unsympathetic to the local setting and pattern of adjacent development which would cause harm to the established character of the area as well as potentially the amenity of neighbours through the creation of a rear access. This would be contrary to the aims and objectives of the NPPF, particularly paragraph 17 and paragraphs 56 - 64 and local plan policy regarding design, particularly CS06 and CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016).
- 3 The proposal for an additional dwelling would require a vehicular access point of a minimum width of 4.5m to allow two cars to pass off highway, so as not to obstruct the free flow of traffic on the Rudham Road. It seems that there is a separation distance between the two trees flanking the access of less than 4m, restricting the access width, below the required width of 4.5m. Therefore as currently presented the development would be considered to be detrimental to highway safety, contrary to paragraph 32 of the NPPF and DM15 of the Site Allocations and Development Management Policies Plan September 2016 (SADMP 2016).