

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

<b>Parish:</b>	Emneth	
<b>Proposal:</b>	Residential development consisting of 4 one bedroom retirement bungalows	
<b>Location:</b>	Rear of 22 Gaultree Square Emneth Wisbech	
<b>Applicant:</b>	Client of Hereward Services Ltd	
<b>Case No:</b>	16/02135/F (Full Application)	
<b>Case Officer:</b>	Mr K Wilkinson	<b>Date for Determination:</b> 13 March 2017 <b>Extension of Time Expiry Date:</b> 6 October 2017

**Reasons for Referral to Planning Committee** – The views of Emneth Parish Council are contrary to the Officer recommendation.

### Case Summary

The application site comprises a parcel of garden land (0.11Ha) to the rear of the Post Office & Stores on the western side of Gaultree Square, Emneth. Access is gained between the shop and adjacent Methodist Church to the south involving the removal of an existing garage.

The site has garden land to the north and south rear of dwellings fronting Gaultree Square, and residential development/bungalows to the west (Coates Court).

Full permission is sought for residential development comprising 4 detached bungalows with a shared access drive with the Post Office & Stores.

### Key Issues

Principle of development  
Impact upon form and character  
Highway issues  
Relationship with adjoining properties  
Other material considerations

### Recommendation

**REFUSE**

### THE APPLICATION

The application site comprises a parcel of garden land (0.11Ha) to the rear of the Post Office & Stores on the western side of Gaultree Square, Emneth. Access is gained between the shop and adjacent Methodist Church to the south involving the removal of an existing garage.

The site has garden land to the north and south rear of dwellings fronting Gaultree Square, and residential development/bungalows to the west (Coates Court).

Full permission is sought for residential development comprising 4 detached bungalows with a shared access drive with the Post Office & Stores.

The dwellings are single storey with accommodation comprising kitchen, lounge, bathroom, bedroom and study (same size as bedroom). There is an access drive (4.5m wide) leading off Gaultree Square along the southern boundary of the site adjoining the Methodist Chapel. Two units immediately to the rear of the PO & Stores are orientated south facing onto the drive with two facing eastwards onto a turning area. The driveway also serves the PO & Stores. One parking space per dwelling is shown with turning space for emergency vehicles

## **SUPPORTING CASE**

The agent has submitted the following comments in support of this application:

“It is evident throughout the application that these dwellings are proposed to meet an identified need.

During the design stage prime consideration was given to affordability, ease of heating, abundance of natural light, walking distance to services, good quality, low-maintenance build, bathrooms designed to be comfortable and accessible to those with the potential for reduced mobility, landscaped gardens requiring minimal maintenance, and the provision of a secure environment.

Indeed it has been noted that a continuing theme raised by Members at Committee is one of home design in relation to providing natural light – these dwellings provide in abundance.

The site itself lies centrally within the well-developed village of Emneth, it being a Key Rural Service Centre. Within Built Environment Type D it also benefits from being classified Flood Zone 1. Not only is there a shortage of FZ1 Land on which to construct single story dwellings in the Fens, but a site which does meet this requirement and provide the access to services required for retirement homes is rare.

Previously the Local Government Association (L.G.A.) has stated that ‘Building a new market of homes attractive and suitable for older people better able to meet health needs and supporting moves which, in turn, would release more family homes into the local market’. Thus a proposal such as this meets 2 very important community needs.

In addition to the numerous reports identified within the application consideration and guidance was sought from the publications of both LILY – Living Independently in Later Years, an online directory of services, activities, advice and guidance for older people in West Norfolk and Retirement Living Explained (A Guide for Planning and Design Professionals), written by and with support from Newcastle University, Churchill Retirement Living, Planning Issues and the Housing LIN - The Housing Learning and Improvement Network (LIN) is a sophisticated network bringing together housing, health and social care professionals in England and Wales to exemplify innovative housing solutions for an ageing population.

Councils should build 'age-friendly neighbourhood principles' into planning policies and should use local plans to 'signal' to the market where and in what circumstances older people's housing will be supported, a report has recommended.

Housing our ageing population, published September 2017 by the L.G.A. , says that the number of specialist homes for older people across England will need to increase by 400,000 units in less than 20 years as a result of our ageing population.

The document says that to help deliver these homes it is "important to create a planning framework and system that is appropriately supportive of developing a range of housing offers suitable for an ageing population".

## **PLANNING HISTORY**

04/02042/O: Refusal: 04.12.2004 - Outline Application: Construction of 4 dwellings and creation of new access

16/01686/F: Application Permitted: 08/11/16 - Extension and alterations to shop and dwelling to form enlarged sales and storage area along with separate access to dwelling - Emneth Village Stores, 22 Gaultree Square

## **RESPONSE TO CONSULTATION**

**Parish Council:** Initial submission **APPROVAL** – there is a requirement for this type of housing in the parish.

Amended scheme - **No further comments received**

**Highways Authority:** **OBJECTION** on highway safety grounds due to inadequate visibility and loss of existing parking facilities on Gaultree Square

**King's Lynn Internal Drainage Board:** Concerns raised regarding surface water drainage

**Environmental Health & Housing - Environmental Quality:** **NO COMMENTS**

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance:** Concerns raised regarding amenity issues due to proximity to PO & Stores (opening hours and noise from air conditioning units on approved extension), also Church next door and Hall opposite; however could be overcome by noise protection measures to be secured via condition – also surface water drainage details

**Arboricultural Officer:** **NO OBJECTION** subject to condition relating to development being carried out in accordance with tree report and plans

## **REPRESENTATIONS**

**TWO OBJECTIONS** received raising the following grounds:

- Access appraisal report relies on 'Parish Council' car park opposite, but this is owned by the Emneth Central Hall Management Committee and is a private car park, as a gesture of good will the car park is used by visitors to the local shops and amenities;
- Lay-by parking reduced;
- Visibility affected by on-street parking; and
- Photos taken do not give a fair reflection of cars parking in the lay-by.

**ONE NEUTRAL** comment raising concerns regarding potential disturbance to residents from fridge freezers and other equipment in the proposed extended PO & Stores with inevitable

complaints in future; and sufficient parking necessary to serve dwellings and visitors leading to on-street parking and congestion.

**THREE SUPPORT** letters - sent to applicants from individuals expressing regret at missing out on the bungalow built at No.3 Gaultree Square, but having an interest in buying similar units if built in the village or for family member.

## **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

**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 key issues in considering this application are as follows:

- Principle of development
- Impact upon form and character
- Highway issues
- Relationship with adjoining properties
- Other material considerations

### **Principle of development**

Emneth is defined as a Key Rural Service Centre in the settlement hierarchy set out under Policy CS02 of the Borough Council of King’s Lynn and West Norfolk Core Strategy (2011) as amended by the Site Allocations and Development Management Policies Plan (SADMPP) adopted September 2016.

Emneth, as a Key Rural Service Centre, is capable of accommodating limited growth of a scale and nature to secure the sustainability of the settlement within the development limits.

Whilst the principle of development may be acceptable, it must be judged against all other policies contained in the Development Plan.

### **Impact upon form and character**

The western side of Gaultree Square is characterised by a mixture of dwellings, a church, public house, PO & Stores and butcher's shop fronting the road, with substantial gardens to the rear. Presently there is no significant development in depth behind these frontage buildings, save for odd garages and small ancillary outbuildings.

This proposal seeks to create a private driveway between the PO & Stores and Methodist Church to serve a cul-de-sac of 4 bungalows. It will be noted from the History section above that a similar proposal was sought back in 2004 on this same site.

That application was refused for 5 reasons: Contrary to form and character of this part of the village; new private driveway between existing properties would cause noise and disturbance to adjoining occupiers; unacceptable precedent for backland development detrimental to local built form and character; inadequate visibility at junction with the County Highway (Gaultree Square); and loss of existing parking facilities on Gaultree Square leading to undesirable increase in on-street parking to the detriment of highway safety.

Whilst planning policies have changed with the passage of time, the form and character of this part of the village has been maintained. Core Strategy Policy CS08 states that all new development should be of high quality design. New development should respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment. It is opined that this proposal constitutes a cramped form of development in a backland position relative to frontage development which would be contrary to the form and character of this part of Emneth. The objection on that particular issue remains.

The other grounds will be addressed later in this report.

### **Highway issues**

Access is proposed off Gaultree Square by the upgrading of the existing gated access plus removal of a sectional garage serving the PO & Stores. The proposed plans show a 4.5m wide private drive alongside the southern boundary of the site which serves all 4 new dwellings plus rear access to the PO & Stores.

The Local Highway Authority (LHA) state: "The access proposed for the development would enter the public highway via a lay-by.

The lay-by is predominantly for the use by the patrons of the adjacent shop and church, any development would impinge upon the availability of the existing parking provision. It is also of note that the lay-by is of some length, the arrangement being of such that vehicles would utilise the area as a deceleration facility on the way to parking which means that vehicles will run along the back kerb edge.

Furthermore visibility at the proposed point of access would be restricted. Gaultree Square is subject to a speed restriction of 30mph and for such a limit the Department for Transport's Document 'Manual for Streets' requires minimum visibility distances of 43m to be seen, to

the near side kerb both sides of the access, from a 2.4m setback from the nearside edge of carriageway into the drive.

At the point of access which would be utilised by the development visibility would be restricted to the south by vehicles being parked in the lay-by and to the north visibility would again be restricted by parked cars and the side of the post office building. The result of which means that splays in accordance with Manual for Streets could not be provided...

...It is my view that the application would result in an intensification of access in this locality which would result in conditions to the detriment of highway safety I therefore recommend that the application be refused..."

The agent has produced two traffic surveys to illustrate vehicle flows and speeds plus lay-by usage to assuage the concerns of the LHA. Local residents do use the car park opposite, but this is at the good will of the Emneth Central Hall Management Committee and is a private car park. The development should not rely upon parking provision that is outside its ownership and control. The PO & Stores has recently had planning permission to expand and is a busy facility within the village attracting customers - many of which are likely to be car-borne given its rural catchment. Combined with the butcher's shop plus the general stores opposite, this is a busy core to the village.

The concerns of the LHA are shared and it is concluded that highway safety would be significantly detrimentally affected by this proposed development, by virtue of inadequate visibility splays and loss of existing parking facilities on Gaultree Square. The proposal would therefore be contrary to the provisions of Core Strategy Policy CS11 of the LDF.

### **Relationship with adjoining properties**

As stated above, the PO & Stores next door has had a recent planning permission to extend the store which would also involve plant and machinery (air conditioning upper floor and bakery ground floor). Given its existence for some considerable time, the facility does not have restrictions with regards to opening hours and deliveries.

CSNN raise concerns regarding noise and disturbance to the residential amenities of these proposed dwellings but suggest this may be possible to overcome these concerns by modifications to room layouts, acoustic fencing and triple glazing.

### **Other material considerations**

Tenure of the dwellings – the application states that these are 'retirement bungalows' presumably aimed at over 65 year olds. There is no recognised planning definition of a retirement bungalow and there is no mechanism proposed to secure the tenure as such. These dwellings must therefore be considered as open market bungalows (effectively 2 bedroomed) with all the associated amenity space requirements and parking standards being met.

Much has been made of housing our ageing population and indeed the Council has approved a similar sized, but slightly larger, bungalow at No.3 Gaultree Square. However this was without highway safety issues, on an infill plot within the established frontage development on the opposite side of the road, thus maintaining the form and character of this locality.

Emneth has an allocated site for at least 36 dwellings on land south of The Wroe (Policy G34.1 of SADMPP) plus a windfall site on Hungate Road with outline approval for 44

dwelling. Both sites lie within Flood Zone 1 of the SFRA and it is likely that bungalows could be forthcoming towards meeting the local demand.

Mature silver birch trees lie to immediate north of the site, which have been the subject of a tree survey, arboricultural implications assessment and arboricultural method statement. Our Arboricultural Officer is content with the findings and recommendations of this specialist report and requests a condition to undertake the development in accordance with it.

The site lies within Flood Zone 1 of the Council-adopted Strategic Flood Risk Assessment, where bungalows are compatible.

Concerns have been expressed by CSNN and IDB regarding surface water disposal as the use of soakaways may not work due to a high water table and limited private garden areas. These details could however be secured via condition.

There are no significant crime and disorder issues raised by this proposal.

## **CONCLUSION**

Whilst the views of the Parish Council are noted with regards to a demand for this type of housing in the parish, new development must respond to the context and character of its locality by ensuring that the scale, density, layout and access will enhance the quality of the environment. In light of the above, it is concluded that this proposal constitutes a cramped form of development in a backland position relative to frontage development which would be contrary to the form and character of this part of Emneth. Highway safety would be significantly detrimentally affected by this proposed development, by virtue of inadequate visibility splays and loss of existing parking facilities on Gaultree Square.

The application therefore fails to accord with the provisions of the NPPF, Core Strategy Policies CS08 & CS11 of the LDF and Policy DM15 of the SADMPP. It is therefore duly refused for the reasons stated below.

## **RECOMMENDATION:**

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

- 1 The western side of Gaultree Square is characterised by a mixture of dwellings, a church, public house, PO & Stores and butcher's shop fronting the road, with substantial gardens to the rear. Presently there is no significant development in depth behind these frontage buildings, save for odd garages and small ancillary outbuildings. This proposal constitutes a cramped form of development in a backland position relative to frontage development, which would be contrary to the form and character of this part of Emneth. The development therefore is contrary to the provisions of Paragraph 17, 56 & 57 of the National Planning Policy Framework (2012), Core Strategy Policy CS08 of the Local Development Framework (2011) and Policy DM15 of the Site Allocations & Development Management Policies Plan (2016).
- 2 Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway. The proposal is therefore contrary to Core Strategy Policy CS11 of the Local Development Framework (2011).

- 3 The proposal, if permitted, would result in the loss of existing parking facilities on Gaultree Square, which would lead to an undesirable increase in on-street parking, to the detriment of highway safety. The proposal is therefore contrary to Core Strategy Policy CS11 of the Local Development Framework (2011).