

AGENDA ITEM NO: 8/1(a)

Parish:	Clenchwarton	
Proposal:	Proposed two storey annex - ancillary and linked to the dwelling	
Location:	Wildfields 187 Main Road Clenchwarton King's Lynn	
Applicant:	Mr & Mrs Green	
Case No:	17/01658/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 30 October 2017 Extension of Time Expiry Date: 8 December 2017

Reason for Referral to Planning Committee – This application was deferred from the November Committee in order to move the proposed workshop which previously formed part of this application (workshop now withdrawn from the application).

Neighbourhood Plan: No

Case Summary

The application seeks permission for the construction of a two storey annexe linked to the dwelling at Wildfields. The non-commercial workshop which formed part of the application and was discussed at the November Planning Committee meeting has been withdrawn from the application.

The application site is located within the settlement of Clenchwarton. Clenchwarton is designated as a Key Rural Service Centre in Policy CS02- Settlement Hierarchy of the Core Strategy (2011) which recommends limited growth of scale and nature appropriate to secure the sustainability of the settlement.

The site comprises of a rectangular plot that has an existing dwelling and outbuilding located to the west of it. Vehicular access to the site is provided by the existing laneway which leads onto Main Road.

Key Issues

Principle of development
Form and Character
Neighbour Amenity
Access
Flood Risk
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks permission for the construction of a two storey annexe linked to the dwelling at Wildfields, 187 Main Road, Clenchwarton.

The application site is located within the settlement of Clenchwarton. Clenchwarton is designated as a Key Rural Service Centre in Policy CS02- Settlement Hierarchy of the Core Strategy (2011) which recommends limited growth of scale and nature appropriate to secure the sustainability of the settlement.

The site comprises of a rectangular plot that has an existing dwelling and outbuilding located to the west of it. Vehicular access to the site is provided by the existing laneway which leads onto Main Road.

SUPPORTING CASE

The applicant raises the following comments in support of the proposed development:

Boundaries:

I noticed that reference has been made to boundary disputes between Wildfields House and a neighbour. Whilst I understand that this may be an issue, I do not believe this is a planning issue. For clarity, our client has held 'discussions' with their neighbour in regards to trying to resolve the dispute, however the neighbour has not been able to provide us or our client with a land registry document showing us that there is a discrepancy or an issue with boundaries and ownership – our client does have a land registry plan and this plan has been reflected in the location of the red line on documents submitted as part of this application.

Proposal Design – Annex:

The proposal has been designed to reflect that of the existing building, and as you can see from the submitted documents this is clear.

The position of the annex means that the structure will not be prominent when entering the site, and has been designed to be subservient to the existing dwelling. The annex is clearly linked to the existing dwelling and will remain ancillary.

Materials shall be reclaimed where possible, to again bring the annex and existing house together. All materials shall match that of the existing dwelling where applicable.

Proposal Design – Workshop (withdrawn from this application)

PLANNING HISTORY

2/93/1731/F: Application Permitted: 18/01/94 - Construction of replacement double garage - Wildfields House, Main Road, Clenchwarton;

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION

It appears that the workshop is 1080mm from the west elevation to the boundary and 750mm (variable) from the north elevation to the boundary and 5000mm high to the ridge (all dims. are approximate but we believe are a good guide based on the drawing) As the workshop walls are predominately timber boarding, we are of the opinion (based on planning

regulation research) that the workshop should be at least 2m from the boundaries for a timber building that is above 2.5m in height. We are also given to believe that the boundaries as shown on the plan are the subject of dispute in which a solicitor is acting for a neighbour.

Highways Authority: NO OBJECTION

In terms of highway considerations, I have no objection to the principle of the development subject to a condition being included in a recommendation to ensure that safe visibility is maintained at the point of access.

Environmental Quality: NO OBJECTION

I have no comments to make regarding contaminated land or air quality.

Environment Agency: NO OBJECTION

We have no objection to this application. However, we would have expected the applicant to submit a Flood Risk Assessment (FRA) for the workshop and have acknowledged the flood risk to the site. As the annex is attached to the existing dwelling this falls within our Flood Risk Standing Advice. As the workshop is considered low risk we have no further comment to make.

REPRESENTATIONS Three representations were received **OBJECTING** to this application. Two of those representations received was from a neighbour raising concerns and the third representation was received from a County Councillor raising similar concerns they received on behalf of the neighbour listed above. A summary of the concerns listed in the representations are listed below:

- Outstanding dispute between parties with regard to the correct boundary
- At less than half a metre, the proposal is too close to the neighbouring boundary
- Concern that the workshop will be used as a commercial building
- Concerned with overlooking into neighbouring properties bedroom and kitchen (from workshop)
- Query why the proposed workshop is so close to the boundary when the application site is such a large site and the workshop could be placed elsewhere on site
- Concern surrounding the potential for excess noise and work taking place during unsociable hours
- Concerned with the potential fire hazard as a result of the material used in construction of the proposed unit.

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

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 CONSIDERATIONS

This application was deferred from the November Planning Committee as members expressed concern relating to the workshop and requested that it be moved further away from the boundary with the neighbour to the west. The workshop element of the application has now been withdrawn from the planning application and therefore members are asked to consider the annex only.

The key issues for consideration in determining this application are as follows:

- Principle of Development
- Form and Character
- Neighbour Amenity
- Access
- Flood Risk
- Other material considerations

Principle of development:

The application site lies on the western side of the settlement of Clenchwarton and is located within the development boundary, as shown on Inset G25 Clenchwarton of the Site Allocations and Development Management Policies Plan (SADMP) 2016.

This proposal is for the construction of a two storey annex linked to the dwelling via the eastern elevation. The principle of the proposed development is considered acceptable and is in accordance with Policy CS08 of the Core Strategy (2011) and Policies DM2, Dm7 and DM15 of the SADMP.

Form and Character:

The application site is very large with a large detached dwelling set relatively centrally within the plot. The proposed annexe is subservient and set back behind the principle elevation of the existing dwelling. In addition the site is well screened by trees and vegetation, would have little direct impact on the street scene and would not result in a harmful form of development. The proposed materials are to be reclaimed red facing brickwork, slate roof tiles and painted timber joinery which will relate well to the existing period dwelling on site.

Neighbour Amenity:

The annex would have no material impact upon the neighbours either to the east or west. There is adequate screening and distance between the proposed annex and the neighbouring property to the east of the application site, so as to remove any impact the annex may have on the neighbour.

The neighbours to the west will be unaffected by the proposed annexe which is to the eastern side of the existing dwelling and therefore has the existing house between it and the proposed annex.

Both the applicants and neighbours located at 193 Main Road (west) dispute the exact line and location of the western boundary, with the neighbouring property arguing the boundary is in line with the concrete posts and wire fencing which are insitu on site. This dispute is a civil matter which is not a material planning consideration and as such is not considered during this application.

Access:

The site has an existing access and the Highway Officer has commented that they have no objection to the principle of the development subject to safe visibility being maintained at the point of access.

Since the comments were received from the Highways Officer the proposed workshop has been removed from the application and the proposed development now forms just the residential annex. In terms of highway safety the annex would not be considered to generate additional vehicular movements due to the nature of the development and therefore the condition relating to the visibility splay is considered onerous and will not be placed on the decision notice.

Flood Risk:

The site is located on land designated as Flood Zone 2, 3 and Hazard Zone of the Environment Agency Flood Risk Maps. The Environment Agency has commented that as the annex is attached to the existing dwelling they have no objection to the proposal.

Other material considerations:

Clenchwarton Parish Council submitted comments on 26/09/17 relating to permitted development rights in relation to the proposed workshop which has now been withdrawn from this application.

Third party representations received have raised concerns with the location of the western boundary line on site. This dispute is a civil matter and must be resolved between the applicant and neighbour. The resolution of such a matter is separate from obtaining planning permission.

Concerns were also raised regarding overlooking onto the neighbouring site. This was with regard to the workshop which has been withdrawn from this application.

CONCLUSION:

For the reasons outlined in this report it is considered that the proposed development accords with the overarching aims of national and local policy and would not have a detrimental impact on the amenities of the locality. The proposal is therefore acceptable and accords with Policies CS08 of the Core Strategy 2011 and Policies DM2, DM7 and DM15 of the Site Allocations and Development Management Policies Plan 2016. It is therefore recommended that this application be approved subject to 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 titled:
 - Proposed Plans & Elevations, Location Plan, drawing number 358-01B; and
 - Site Plan, drawing number 358-02B
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling and shall at no time be used as an independent unit of residential accommodation.
- 3 Reason For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.