

Parish:	Heacham	
Proposal:	Retention and completion of rear extension	
Location:	5 Stainsby Close Heacham King's Lynn Norfolk	
Applicant:	Mr Dutton	
Case No:	18/01620/F (Full Application)	
Case Officer:	Mr M Broughton	Date for Determination: 5 November 2018 Extension of Time Expiry Date: 11 January 2019

Reason for Referral to Planning Committee – Called in to the Planning Committee by Councillor Parish

Neighbourhood Plan: No

Case Summary

The land is situated at Stainsby Close, a spur of development off South Moor Drive on the south side of Heacham, comprising a cul-de-sac of mainly bungalows set within the development boundary for the village

The application seeks the retention and completion of a single storey extension to abut the rear north-east elevation of a detached chalet style bungalow at 5 Stainsby Close, Heacham

The National Planning Policy Framework 2018, the King's Lynn and West Norfolk Borough Council Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMP) 2016 are relevant to this application

Key Issues

- Principle of development
- Form and character of the locality
- Visual and residential amenity
- Other considerations

Recommendation

APPROVE

THE APPLICATION

The land is situated at Stainsby Close, a spur of development on the south side of South Moor Drive, Heacham, comprising a cul-de-sac of mainly bungalows, mixed in scale and design, and set within the development boundary for the village.

The site comprises a detached dwelling at 5 Stainsby Close, Heacham. Formerly a bungalow with a timber clad, single storey, L shape extension attached to the rear elevation (since demolished), works to this dwelling are ongoing to complete an extension and refurbishment programme, including raising the roof, in accordance with application 16/01170/F, resulting in a chalet style bungalow with dormer to the front (south-east) and velux roof lights (as restricted) to the rear (north-east) roof plane.

Access into the site is situated at the front south-west side where there is a garage and frontage parking for three vehicles, as depicted on the block plan. The south-east side of the frontage is fenced from the parking area and taken up by garden. There is further garden to the rear (north-east).

The front boundary comprises a 2.5m -3m high hedge, with similar height hedge along the majority of its northern boundary with No 3 Stainsby Close. There is also some unkempt 2m fencing on the north-east, east and southern rear boundaries. A former timber, rear garden shed has also been removed.

The application seeks the retention and completion of a bespoke, flat roofed, single storey extension (snug) with dome, angled to abut the rear, north-east elevation with bi-fold doors opening into the remaining rear garden and a buff brick to match the dwelling

The works completed thus far on the single storey proposal comprise brick / blockwork footings with a sub-base.

SUPPORTING CASE

Advice and guidance in the planning process was undertaken regarding the permitted development regulations.

To avoid blocking light from the neighbours the extension would be below 3m and a minimum 1m clearance from the boundary fence would be maintained.

It appears when the advice was given it was not realised an ongoing extension combined with the proposed rear single storey extension would be greater than permitted development would allow.

Thus the foundations for the single storey extension (applied for in this application) were started in order to finish all building works on the property at the same time and to avoid any more building disruption to the neighbours.

With reference to objections, the Planning Portal describes 'over-development' as follows: 'An amount of development (for example, the quantity of buildings or intensity of use) that is excessive in terms of demands on infrastructure and services, or impact on local amenity and character'.

The existing house with the single storey extension as proposed, and the outbuilding, does not cover more than 50% of the land, with parking for 3 cars, garden to the front and an amenity area of our choice to the rear

PLANNING HISTORY:

16/01170/F: Permitted 12/10/16: Proposed roof extension to form loft conversion (chalet style) plus alterations to existing property - 5 Stainsby Close, Heacham

RESPONSE TO CONSULTATION

Parish Council: OBJECTION:

First P/C response dated 18/09/18: **No observations**

Second P/C response dated 9/10/18: **Objection**

Comments: Based on information that the Parish Council did not have, the Parish Council now object. We have now received a letter of complaint by all residents of Stainsby Close and others, who vehemently oppose this long winded, 11-year development.

According to the neighbours, what was a quiet cul-de-sac is now a dusty and at times a noisy building site. The extension was started without approval and before the 2016 build was completed. The building does not appear to accurately reflect the plans.

REPRESENTATIONS

TWO letters of **OBJECTION** received: Both objectors were also named in a petition comprising local residents. Issues raised:

- No planning notice displayed
- Plans show rear dormer – overlooking
- Loss of privacy – new build will run parallel with adjacent garden and a glass dome will protrude over the top of our hedge (glowing light in the evening)
- There seems to be some confusion about the boundaries.
- No other spare land on their property (that built / proposed exceeds the 50% rule possibly 75%)
- Inadequate space for parking
- Rainwater run-off will affect adjacent sites
- Constant building works for 11 years - now affecting our health.
- Loss of light

One letter received - neither supports or objects:

- Petition signed reflecting the number of years that works had been ongoing at the site – but I was not aware the writer was to submit an additional letter with that petition
- I was fully aware of plans and application content as I was notified by post and saw the site notice displayed

LDF CORE STRATEGY POLICIES

CS08 - Sustainable Development

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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.

PLANNING CONSIDERATIONS

Key Issues

- Principle of development
- Form and character of the locality
- Visual and residential amenity
- Other considerations

Principle of development:

This application seeks to construct a single storey rear extension, which is acceptable in principle.

The main issues in relation to the determination of this application are whether the proposal is in harmony with the existing building, whether it will be of detriment to the visual amenity of the area and /or to the amenity of neighbours.

Form and character of the locality:

This locality is characterised by relatively modern bungalow dwellings, mixed in scale and design. At least two other former bungalow dwellings in the periphery of Stainsby Close have been extended to create the ‘chalet style’ format.

Plot size varies little, but in some cases plots are awkward in shape due to the meandering South Moor Drive, its three spurs and the larger spur of Stainsby Close. The latter is relatively narrow in width, with minimal passing / on-road parking and culminates in cul-de-sac format immediately south-east of the access drive to the proposal site.

The site comprises a detached chalet style dwelling, with approved works ongoing to develop the former bungalow into that of the chalet style. Boundaries are of 2-3m high hedge or fence.

The proposal relates to the retention and completion of a single storey flat roofed extension to abut the rear elevation, with part of the site being that of a former single storey timber clad extension.

The base of the structure is the element in situ, with its northern elevation approximately 1m stepped back from the 3m hedge-lined northern boundary and a minimum 1m from both the eastern / south-eastern 2m fenced boundaries.

Visual and residential amenity:

The proposal is to construct a flat roofed, single storey extension to abut the existing rear single storey projection. The flat roof is 2.7m high with its 'central' glass dome at 3.3m at its highest point. It would be sited in a virtually enclosed rear garden and would be out of site to the passer-by, with no associated issues of negative impact on visual amenity.

A detached bungalow No 7 lies on land to the south with a 2m fenced boundary. Given its own siting, aligned in the street scene in comparison with No 5, in conjunction with the scale of the proposal, it is considered to be unaffected by this proposal in terms of overbearing or overlooking.

A semi-detached bungalow No 3 lies on land adjoining north. No 3 and No 1 Stainsby Close lie at a marginally lower ground level than the site dwelling No 5 and are angled facing the north-west direction. No 3 was found to have a small patio area leading off its rear south-eastern elevation and that the main areas of garden afforded to this dwelling were on the south-western side. A mature approximately 3m high hedge line remains in situ along the majority of the boundary between No 3 and the proposal site No 5. Concern has been raised over unneighbourly design, with the glow of the proposed lantern in view.

However, whilst there may be some view into the site and of the lantern during darkness, it is considered that any perceived views of the proposal site or light glow into it are further limited in favour of No 3 due to its lower level and the high dividing hedge.

Given the single storey scale and siting of the proposal, there is no material impact in terms of the proposal being overbearing, overshadowing, overlooking or creating a loss of privacy on the neighbouring sites north or south. Given siting off the boundary, orientation affecting No 3 would appear to be no different than that existing and overall light or loss of privacy should not be affected either.

Any boundary ownership issues are considered to be of a civil nature and not material planning considerations.

In considering the overall development of this site, in terms of amenity space afforded to the site dwelling, consideration was given to the size and shape of the plot in comparison with the original dwelling, the development approved and that proposed. If approved, the proposal would decrease the current area of garden to the rear.

It is noted that the proposed single storey projection has a 'garden room' appearance with bi-fold doors opening inward into the remaining garden, with the design of the proposal against the loss of garden being the personal choice of the applicant.

The plan has identified the area on the NW side of the frontage capable of parking three cars in addition to the detached garage.

In addition to the area of garden retained to the rear, there is a front, south facing garden approximately 9m x 9m divided by fencing and conifers from the access / parking area. There will be a sunken soakaway cage buried within this area of garden, but that alone will not restrict use of the garden for amenity purposes. It is of note that the frontage to the dwelling (save the access point) is also screened by a 2.5m-3m high hedge, affording the front garden seclusion from the passer-by and providing adequate amenity space to serve the site dwelling

Other considerations:

- The planning notice for this proposal was displayed 14/09/18
- Revised plans confirmed there had been an initial error by the agent in the submission of 'plans existing' which identified an existing rear dormer
- Building works:

Albeit objections include comments of 'continuous building works', such works are considered temporary in nature and it would be unlawful to restrict a time span on completion of works and unreasonable to restrict hours of work where there is no specific complaint of works taking place in unsociable hours.

- Parking:

Off-site parking has been cited as an issue in Stainsby Close, including outside the said premises.

The site has a detached garage to the front of the dwelling and the block plan denotes off road parking for 3 vehicles in a gravelled area fronting the dwelling, considered sufficient to serve the site.

Issues of obstruction created by unneighbourly off-site parking are not a matter for consideration in this application.

- Rainwater drainage:

The block plan identifies the siting in the front garden of a 'Wavin Osma Aquacell' soakaway crate system with rainwater drainage from the building leading thereto.

Notwithstanding reports of drainage issues in the locality, the application has identified a suitable method for rainwater disposal, which will be subject to future building control approval.

- Parish Council response:

Having first responded with 'no observations', the Parish followed up with one of 'objection' citing extenuating building works, noise, dusty environment and incorrect plans. It is considered the objections of the Parish have been dealt with previously in this report.

- Crime and Disorder:

There are no issues of this nature affecting this site and proposal.

CONCLUSION:

Extending and updating this property is in principle acceptable. The proposed site layout is considered acceptable in terms of scale providing adequate amenity space and parking, whilst retaining the level of amenity afforded to the neighbouring and surrounding dwellings.

Albeit of bespoke scale and design, the proposed increase in the development of this site is unlikely to impact on local amenity and character.

The proposal therefore accords with guidance on design in the NPPF 2018, and relevant policies of the Development Plan

In the light of National Guidance, Development Plan Policies and other material considerations, it is recommended that this application be approved

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Block plan – drawing 453-02 REV D – receipt dated 17/12/18
 - Elevations and layout - drawing 453-01 REV C – receipt dated 7/11/18

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.