

<b>Parish:</b>	Gayton	
<b>Proposal:</b>	<b>Construction of dwelling house and new vehicular access to retained dwelling.</b>	
<b>Location:</b>	13 Lime Kiln Road Gayton King's Lynn Norfolk	
<b>Applicant:</b>	Mr Kevin Catton	
<b>Case No:</b>	19/00189/F (Full Application)	
<b>Case Officer:</b>	Mr James Sheldrake	<b>Date for Determination:</b> 28 March 2019 <b>Extension of Time Expiry Date:</b> 13 April 2019

**Reason for Referral to Planning Committee** – Referred by the Sifting Panel

**Neighbourhood Plan:** No

**Case Summary**

The application site lies within the development boundary of Gayton. Gayton is classified a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The proposal seeks permission for the construction of a dwelling house in the rear garden of 13 Lime Kiln Road, Gayton and a new access to the donor dwelling.

**Key Issues**

1. Principle of the development
2. Impact on form and character
3. Impact on neighbour amenity
4. Other material considerations

**Recommendation**

**REFUSE**

**THE APPLICATION**

The application site lies within the development boundary of Gayton. Gayton is classified a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The proposal seeks permission for the construction of a dwelling house in the rear garden of 13 Lime Kiln Road, Gayton and a new access to the donor dwelling.

The materials are proposed to be brick and render to the walls, concrete interlocking tiles to the roof, and uPVC/ composite doors and windows.

## **SUPPORTING CASE**

The Application Site is situated on the junction of Lime Kilm Road and Lime Grove and is rectangular in shape cover an area of approx. 615m<sup>2</sup>. The proposal is to build a new dwelling within an existing curtilage. The proposed new curtilage area will be approx. 260m<sup>2</sup>, leaving a curtilage area of 355m<sup>2</sup> for the host property. The proposed new dwelling will have an internal area at ground floor of 42.35m<sup>2</sup>.

The proposal includes utilising the existing access for the new property and creating a new access for the host property. These accesses comply with NCC highways residential standards and cause no significant highway safety concerns.

In terms of design and impact on character and appearance of the amenity and streetscene, it is noteworthy that there are no specific local design criteria's set out in the core strategy or any supplementary planning documents. However, it is accepted that development should be in keeping and therefore matters of design, style, size, scale and massing are to be considered.

The house is set into the application site with the front elevation in line with the current building line along the street and consistent with the host property. It has been designed to match the existing properties and is similar in size, scale and massing. Materials will match existing and therefore it is considered that the new property is acceptable in planning terms.

In terms of impact on the amenities of residents of the host property or neighbouring properties, matters of overbearing, dominance and loss of light / privacy are to be considered.

The proposed curtilages for the new property and host dwelling are consistent with the locality. The new property represents a ratio built area of 16%. Planning permission 12/00753/F, a plot on the opposite corner (no.12a Lime Kilm Road) had a total application site area of 914m<sup>2</sup> and an approved built footprint area of 238m<sup>2</sup> equating to 26%, which is substantially higher than the built footprint the subject of this application.

A review of a number of recent grants of planning permission within the Borough confirm that developments represent a built footprint of between 25-26% of the application site. It is therefore considered that the size of the application site and built footprint is consistent with the locality and other plots within the wider area.

The new property is a sufficient distance to the boundaries (between 3.7m and 4.2m) and designed in such a way that there are no demonstratable issues concerning shadowing, overbearing or loss of light and there are no windows looking into any habitable window rooms of any of the neighbouring properties that would cause concern regarding loss of privacy. The size, scale and massing is consistent with the other properties within the streetscene and locality and it therefore considered to be proportionate and acceptable in planning terms.

We therefore respectfully invite Members of the Planning Committee to approve this planning application.

**PLANNING HISTORY** None.

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION** on the grounds of the entrance coming out on Lime Kiln Road is too close to the junction.

**Highways Authority: NO OBJECTION** (subject to conditions)

**Environmental Quality Officer: No comments to make**

## **REPRESENTATIONS**

No public comments were received.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

## **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

## **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**

The main issues for consideration in the determination of this application are:

1. Principle of the development
2. Impact on form and character

3. Impact on neighbour amenity
4. Other material considerations

### **Principle of the development**

The proposal seeks consent for the construction of a dwelling. As the site is within the development boundary the principle of development is acceptable, provided the proposal complies with Local Plan policies, and subject to the consideration of other material considerations.

### **Impact on form and character**

The plot forms part of the garden of No. 13 and utilises the existing rear access. A new access is proposed to the front of No. 13, to provide replacement parking, which would be acceptable in the street scene.

The plot is small, particularly when compared to surrounding plots, and the dwelling would only be set about 4 metres from the side and rear boundaries. The area to the front would be taken up mostly by the parking and turning area and the garden would be much smaller than those serving surrounding dwellings. It would only be 3.7 metres to the rear boundary from the back of the house. This all supports the view that the development would be unduly cramped.

The design of the dwelling and the boundary treatments are considered acceptable, and the garden remaining for the donor dwelling is considered sufficient.

However; notwithstanding this, the proposal would be unduly cramped, which would be harmful to the form and character of the area. This would be contrary to the National Planning Policy Framework 2019, Policies CS06 and CS08 of the KLWNBC Core Strategy 2011, and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016.

### **Impact on neighbour amenity**

The proposed dwelling would be set far enough away from neighbouring dwellings, including the donor dwelling, not to cause significant overshadowing or overbearance. The only window at first-floor that doesn't face towards the street can be conditioned to be obscurely glazed and non-opening below 1.7 metres above finished floor level of the room that it serves. The first-floor windows to the front of the proposed dwelling would slightly overlook the gardens on the opposite side of the street, but given the distance and angle of outlook; this isn't considered significant enough to be a reason for refusal

### **Other material considerations**

The Parish Council have objected on highways grounds; however, the Highways Officer has no objection to the proposal (subject to conditions).

## **CONCLUSION**

Whilst the proposed development would provide a new dwelling on a site within the village; the proposal is considered to be an unduly cramped form of development, which would be harmful to the form and character of the area. It is also not considered to represent a high standard of development as required by the NPPF. This would be contrary to the National Planning Policy Framework 2019, Policies CS06 and CS08 of the KLWNBC Core Strategy

2011, and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016. It is therefore recommended for refusal.

**RECOMMENDATION:**

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

- 1 The proposal is considered to be unduly cramped, emphasised by the limited amenity space available, and would be harmful to the form and character of the area. This would be contrary to the National Planning Policy Framework 2019 which seeks a high standard of development, Policies CS06 and CS08 of the KLWNBC Core Strategy 2011, and Policy DM15 of the KLWNBC Site Allocations and Development Management Policies Plan 2016.