

**AGENDA ITEM NO: 8/2(b)**

<b>Parish:</b>	<b>Grimston</b>	
<b>Proposal:</b>	<b>Proposed new build dwelling</b>	
<b>Location:</b>	<b>Land N of 105 And Immediately W of 101 Leziate Drove Pott Row Norfolk</b>	
<b>Applicant:</b>	<b>Mr John Sandle</b>	
<b>Case No:</b>	<b>19/00418/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs K Lawty</b>	<b>Date for Determination: 16 May 2019 Extension of Time Expiry Date: 24 May 2019</b>

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

**Neighbourhood Plan:** No

**Case Summary**

The application site relates to an area of land north of 105 and west of 101 Leziate Drove, Pott Row, Norfolk.

The proposal is the construction of a detached, two storey dwellinghouse. The site lies outside the settlement boundary for Pott Row in which new development is normally restricted as per policy DM2 of the Development Management Policies Plan 2016. There are however other material considerations in this case given that outline consent was approved in June 2016 on this site for two new dwellings.

The National Planning Policy Framework 2012, the King's Lynn and West Norfolk Core Strategy 2011 and the Site Allocations and Development Management Policies Plan 2016 are relevant to this application.

**Key Issues**

Principle of Development  
Form and Character and amenity  
Neighbour Amenities  
Highways  
Affordable Housing  
Other considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The proposal relates to an area of land previously in use as a paddock to the east of Leziate Drove and designated as countryside by virtue of being outside the development boundary for Pott Row.

The planning history of the site shows that outline planning permission was approved in June 2016 for two dwellings on the site (lpa ref's 16/00213/O and 15/02084/O). Reserved matters details were recently submitted for these applications within the three year time period (lpa ref's 19/01038/RM and 19/01035/RM), but these applications have not yet been determined.

When the two outline applications were determined the council did not have a 5 year housing land supply. Consequently policies in the local plan were not up to date and the applications were then assessed in line with the presumption in favour of sustainable development outlined in the NPPF.

Although there is currently outline consent for two dwellings on this site, and reserved matters applications have been submitted for these two dwellings, this application proposes just one, single detached, two storey dwelling. It would be set back from the highway and comprise a large parking and garden area. Access would be directly from Leziate Drove.

The proposed property is of large scale and has a triple gabled frontage. The ridge height would be approximately 8.2m with eaves at 5.1m. The longest front to back depth would be 24.7m at ground floor level and 17.5m at second floor. The proposed dwelling would have a width of approximately 23.6m at its widest point.

Proposed materials include red brick with flint panels and slate roof to match the recently constructed dwelling on the adjoining site to the south west.

## **SUPPORTING CASE**

The applicant has submitted the following supporting case:

'This application is for a new residential dwelling on a generous site on Leziate Drove. The site has outline approval for two dwellings, but this application seeks for a single larger family home spanning across the two Outline approval areas. The house is to be the home of John and Rosie Sandle, the owners of the adjacent car supermarket. The business is a good local employer, and John and Rosie are looking to live closer to their business, reducing their commute to work. The applicant's son has built and lives in the new build house directly to the south.

The house has been designed in an 'L' shape on the plot, to maximise the aspect of the house relative to the sun path to the east, south and west and provide light into the house at different times of day. The house is set back from the road frontage to provide parking in the northern corner of the site. The access from Leziate Drove has been positioned to avoid the root zones of the existing mature trees and minimise the area of hedgerow that need to be removed for this access point. The trees and hedgerow would be protected throughout construction and maintained thereafter, as an important feature of the site. No garaging is proposed for this development, as the applicant intends to utilise the existing storage within his adjacent business premises for storage of his private vehicles.

The main living accommodation is all to the rear, overlooking the fields (which are also within the client's ownership). The long north western 'wing' spans almost to the south western

boundary of the designated garden space, both maximising views and light internally, but also providing a boundary with the 'public' parking and garden space to the north and the 'private' courtyard garden to the south.

The house takes the form of three volumes, with the gables of each volume facing the road and rear. This gives a rhythm to the front elevation, while also helping reduce the apparent scale of the house by reducing the amount of roof facing the street. The two side wings have the same frontage and are intended to be a contemporary take on the traditional flint and brick houses locally.

The windows are narrow and slightly taller than standard, further emphasising the contemporary nature of the house, giving the elevations a verticality, which helps reduce the apparent width of the house. The central entrance and circulation volume is slightly lower than the wings either side, making the wings prominent. The rear of the house is more contemporary still, with large glazed areas to the bedrooms and living rooms. The roofs overhang to the rear to provide some shading over the glazing, and shelter to the balconies.

The materials palette for the house has taken careful consideration of the local vernacular materials, and the materials utilised in the directly adjacent house, to which it will naturally be compared and therefore must compliment. While the materials chosen are traditional, it is intended that their application and detailing will be contemporary.

In conclusion, while accepting that this is a large house, we feel that the scale of the dwelling is not out of proportion with the scale of its plot or some of the larger dwellings close by. The contemporary styling of the dwelling with the three gables has been intentionally designed to reduce the apparent mass of the dwelling, while providing an interesting but complimentary architectural statement. The retention of the trees and hedgerow to the street boundary would further reduce the impact of the dwelling.'

## **PLANNING HISTORY**

19/01038/RM: Not yet determined: - Reserved Matters application for one dwelling - Land N of 105 and Immediately W of 101 Leziate Drove Pott Row Norfolk;

19/01035/RM: Not yet determined: - RESERVED MATTERS: Proposed new dwelling - Land N of 105 and Immediately W of 101 Leziate Drove Pott Row Norfolk;

17/00257/F: Committee Decision; Application Permitted: 11/05/17 - Outline application: Proposed dwelling and garage - Land N of 105 and Immediately W of 101 Leziate Drove Pott Row Norfolk; (adjoining site)

16/00213/O: Committee Decision; Application Permitted: 09/06/16 - Outline application: Proposed new dwellings - Land at Leziate Drove Pott Row Norfolk;

15/02084/O: Committee Decision; Application Permitted: 09/06/16 - OUTLINE APPLICATION ALL MATTERS RESERVED: Proposed new dwelling and garage - Land N of 105 and immediately W of 101 Leziate Drove Pott Row Norfolk;

## **RESPONSE TO CONSULTATION**

**Parish Council: OBJECTION** - The Council objected to the original application to develop this land which is well outside the development boundary for Pott Row, the argument being that it was too far outside the village to be sustainable. There remains no footpath or bus

service and whilst there is residential development along this road the majority is of the single storey or chalet bungalow variety, nothing like the size and height of the new dwelling or the one proposed. The Council maintains its objection to development in this area and in addition considers the size of the dwelling overbearing development given the location in the countryside and impact on the street scene.

**Highways Authority: NO OBJECTION** – conditionally

**Environment Agency: NO COMMENT**

**Water Management Alliance: NO OBJECTION** but made comment regarding the site being within the Internal Drainage District (IDD) of the King's Lynn Internal Drainage Board (IDB) and therefore needing to comply with the Board's Byelaws with regard to surface water and foul drainage.

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

**Natural England: NO OBJECTION**

**Housing Enabling Officer: NO OBJECTION** – the site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

At present a 20% provision is required on sites capable of accommodating 5/ or more dwellings and/or 0.165ha in Pott Row. The affordable housing provision is then further split into 70% of the affordable homes being made available for rent and the other 30% for shared ownership or any other intermediate product that meets the intermediate definition within NPPF, meets an identified need in the Borough and is agreed by the Council.

However, NPPF states that affordable housing should not be sought on developments of fewer than 10 dwellings and/or 0.5ha other than in designated rural areas. On sites of 6-9 dwellings and less than 0.5ha in designated rural areas, a financial contribution based on £60,000 per equivalent whole affordable dwelling will be sought.

This application forms part of a larger site along with 17/00257/F which has been implemented.

The two application sites would total 2 dwellings on 0.45ha. As this does not exceed the thresholds set out in NPPF, there will be no requirement for an affordable housing contribution.

## **REPRESENTATIONS**

**None** received.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

## **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)

## **PLANNING CONSIDERATIONS**

- Principle of Development
- Form and Character and Amenity
- Highways
- Affordable Housing
- Other considerations

### **Principle of development**

The site lies outside the defined settlement boundary for Pott Row in which new development is generally resisted unless there are special circumstances. However, the site has outline consent for two new dwellings which is extant and is a significant material consideration.

Reserved matters applications for the two residential units have been submitted in line with the time constraints of the outline consent, although they have yet to be determined.

This application seeks consent for one large dwelling on the overall outline site instead of the currently approved two plots.

The National Planning Policy Framework (NPPF) seeks the creation of high quality buildings and places which are fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities (para 124).

Para 127 requires developments that are visually attractive as a result of good architecture, layout and appropriate and effective landscaping, are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change, establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit.

In terms of the KLWNBC Core strategy 2011:

Policy CS08 advises that good design is a key element of sustainable development.

In terms of the Site Allocations and Development Management Policies Plan 2016:

Policy DM1 supports the NPPF and states that when considering development proposals the council will take a positive approach that reflects 'the presumption in favour of sustainable development' contained in the NPPF.

Policy DM15 (environment, design, amenity) states that development must protect and enhance the amenity of the wider environment including its heritage and cultural value and that proposals will be assessed against their impact on neighbouring uses and their occupants. Furthermore, proposals will be assessed against a number of factors including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

### **Form and Character and Amenity**

The site is currently an undeveloped portion of land situated on Leziate Drove in Pott Row. The surrounding area comprises a mix of dwelling types consisting of a number of 20th century bungalows surrounded by open fields, adding to the rural character of the area.

The proposed dwelling is a substantial property formed by three gabled bays. It is sited slightly further forward in the plot than the recently constructed property to the south west, although is set back in the plot by approximately 13m. There is also a grass verge in front of the site of a depth of approximately 4m.

The DAS describes the dwelling thus:

'The house is formed of three linear volumes with gables facing the street, forming a roughly 'L' shaped dwelling. The main living wing runs almost to the southern boundary of the site, allowing the living spaces to make the most of the southerly views and aspect to the garden and patio/ courtyard area.

The master bedroom is housed in this wing, with a large balcony enjoying views to the south and over the courtyard garden area.

The central volume is shallow, containing mostly circulation in the form of an atrium with feature staircase, with extensive glazing to both sides. The glazing to the front elevation will be specified as having a reflectance, both to reflect the mature trees to the site frontage, and also provide some privacy internally.

The southern 'wing' houses the formal living room and gym at the ground floor, with aspects to the garden, while there are two bedrooms at first floor, one of which has a balcony looking over the garden.'

However, whilst the proposal is undoubtedly a very large house on a generous sized plot, there is a significant amount of land remaining to the front and sides of the dwelling so that it does not appear cramped within the plot.

While the overall design of the proposal may differ from that of the observed character in the context of neighbouring dwellings, it does take reference from the newly constructed dwelling to the south west in terms of materials and the proposed dwelling is not thought to be harmful to the character of the surrounding area. The staggered, triple gables help to

break up the overall mass of the building and gables are a strong feature in surrounding buildings, including the large agricultural and commercial premises in proximity.

The positioning in terms of the set back from the road and the retention of the roadside trees would help to respect the surroundings and not result in an overly dominant frontage when viewed in the streetscene. With regards to the proposed materials of red brick with flint panels and slate roof, these would give a traditional emphasis and provide context and balance to the contemporary designed dwelling.

It is noted that the proposed dwelling does not have any garaging facilities which would normally be expected for a dwellinghouse of this scale. The applicant has explained that the applicant is the owner of the adjacent land, including the car supermarket, and as such has no need for garaging on the site. The applicant currently lives in a large house, and is looking to achieve a similarly scaled house to their existing home, to make it worth the move to be closer to the business, reducing their travel time.

The applicant has provided a streetscene showing how the proposed dwelling would sit adjacent to existing development. The ridge height is comparable with the recently constructed dwelling to the south west although appears lower when viewed in the streetscene as the principle elevation is broken up by the triple gable and the central gable is lower in height.

The Parish Council feel the proposal will be an overly dominant form of development. There is no doubt the house will be very visible in the rural locality, particularly the north-east elevation which extends back at two storey level some 17.5m approx. Members will need to consider this point, and on balance officers feel that the combination of the set back from the road and spacing to the sides of the dwelling mean that the dwelling would not appear overly cramped or imposing in its plot.

Policy DM15 states that proposals will be assessed against their impact on neighbouring uses and their occupants including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of poor design.

While the proposal would be greater in scale than neighbouring properties, the site characteristics in terms of the spacious plot and separation distance would lead to no concerns from the perspective of neighbour amenity.

### **Highway Issues**

NCC Highways expressed no objections in principle subject to conditions. It was expressed that the rural site location would mean reliance on the private car as a means of transport to access amenities which would conflict with the aims of sustainable development outlined in local and national policy. However this site already benefits from a planning permission granted in 2016 for two dwellings.

### **Affordable Housing**

The site history shows that two outline consents were approved in 2016 (application refs: 15/02084/O and 16/00213/O). A total of four dwellings were approved in outline on the land between 101 and 105 Leziate Drove.

The Housing Enabling Officer comments that the site area and number of dwellings proposed trigger the thresholds of the Council's affordable housing policy as per CS09 of the Council's adopted Core Strategy.

However, the NPPF states that affordable housing should not be sought on developments of fewer than 10 dwellings and/or 0.5ha other than in designated rural areas. On sites of 6-9 dwellings and less than 0.5ha in designated rural areas, a financial contribution based on £60,000 per equivalent whole affordable dwelling will be sought.

The Housing Enabling Officer acknowledges that this application forms part of a larger site along with 17/00257/F which has been implemented and that the two application sites would total 2 dwellings on 0.45ha. As this does not exceed the thresholds set out in NPPF, there will be no requirement for an affordable housing contribution in this case.

Accordingly there are no issues outstanding in regard to affordable housing.

### **Other Considerations**

There are some significant, mature trees at the front of the site. The application seeks to retain these trees and, other than the access created between the trees, there are no implications in this case. The Arboricultural Officer advises that a planning condition be imposed to protect the trees and hedgerow.

The proximity of the proposal to the Site of Special Scientific Interest (SSSI) has been noted but not considered to have an adverse effect in this regard.

This proposal would result in the loss of a residential unit from the housing supply. However, the recent planning appeal into the outline planning application at land to the north of St Nicholas Close Gayton for up to 50 dwellings (Decision date 14 May 2019; Appeal Ref: APP/V2635/W/16/3166074) found that the Council can demonstrate a healthy 5 year housing supply (8.7 years) and this modest loss should not have a significant impact in this case.

Given that the house is of significant proportions it is recommended that permitted development rights for further extensions to the property are removed. This would mean that any further extensions or development to the house could be controlled by the local planning authority.

### **CONCLUSION**

The proposal is a substantial, detached, two storey, triple gabled dwelling in Pott Row. The site lies outside the development boundary but the planning history with respect to the outline planning consent has established the principle of development in this case, albeit there will be 2 dwellings in total rather than the previously approved 4.

While concerns may arise in terms of the scale and proposed design approach, such matters have been taken into account in the assessment with the view being on balance that the proposal would not result in undue harm to the surrounding area so as to warrant the refusal of planning permission.

The proposal would accord with policies DM1 and DM15 of the Development Management Policies Plan 2016 and the provisions of the National Planning Policy Framework 2012 and is sustainable development. It is therefore recommended for approval.

### **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 92 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:
  - Drawing No. PP.500, Location and Proposed Site Plan
  - Drawing No. PP.2000, Proposed Elevations and Section
  - Drawing No. PP.1100, Proposed Floor Plans & Street Scene Elevation
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first occupation of the development hereby permitted the vehicular access shall be provided and thereafter retained at the position shown on the approved plan in accordance with the highway specification(Dwg. No. TRAD5) attached. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason To ensure satisfactory access into the site and avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.
- 4 Condition Prior to the first occupation of the development hereby permitted any access gate(s), bollard, chain or other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- 4 Reason To enable vehicles to safely draw off the highway before the gate(s) or obstruction is opened.
- 5 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 6 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, D and E of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, the erection or construction of a porch outside any external door of a dwelling house, or the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 6 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.

- 7 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
  
- 7 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.