

Parish:	Tilney St Lawrence	
Proposal:	Detached two storey dwelling with garage	
Location:	20 Westfields Tilney St Lawrence King's Lynn Norfolk	
Applicant:	Client of Ian J M Cable Architectural Design	
Case No:	19/00619/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 24 June 2019 Extension of Time Expiry Date: 2 August 2019

Reason for Referral to Planning Committee – The council's recommendation if contrary to the views of the Parish Council

Neighbourhood Plan: No

Case Summary

The proposal is for the construction of a detached dwelling in the curtilage of No. 20 Westfields, Tilney St Lawrence. The dwelling is proposed with access via the corner of the existing cul-de-sac. The site is surrounded by residential properties and their gardens on all sides.

The site lies within the development boundary for Tilney St Lawrence.

Key Issues

- Principle of Development
- Form and character
- Impact upon neighbouring properties
- Other material considerations

Recommendation

REFUSE

THE APPLICATION

This part of Westfields comprises semi-detached dwellings and their gardens. The proposed plot is located in a corner, between two pairs of existing dwellings located to the south east and south west.

It is proposed to construct a two storey detached dwelling in the northern corner of this part of Westfields, directly adjacent to No. 20 Westfields. Proposed plans show a detached garage to the rear of the property and parking/turning area to the front, in close proximity to the shared boundary with No. 20. The proposed dwelling measures approximately 8m by 8m, located with less than 1m to the west and 3.6m to the east boundary.

SUPPORTING CASE: None received at time of writing.

PLANNING HISTORY: No relevant planning history.

RESPONSE TO CONSULTATION

Parish Council: SUPPORTS

Local Highway Authority: NO OBJECTION. Recommended condition relating to laying out of access/turning area.

Environment Agency: NO OBJECTION subject to FRA conditions.

Environmental Quality: NO OBJECTION.

REPRESENTATIONS None received.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

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)

PLANNING CONSIDERATIONS

The key considerations when assessing this application are identified as follows:

Principle of development
Form and character
Impact upon adjoining properties; and
Other material considerations

Principle of Development:

The site lies within the development boundary for Tilney St Lawrence which is classified as a Joint Key Rural Service Centre along with Terrington St John and St John's Highway as outlined in CS02 of the Core Strategy (2011). In such areas residential development is therefore considered acceptable subject to accordance with other policies of the local plan. Whilst located inside the development boundary, as garden land, the site is not considered previously developed land for the purposes of the NPPF (2019).

Form and Character:

The importance of design and layout is supported within the revised NPPF (2019), Paragraph 127 states that planning decisions should ensure that developments are visually attractive as a result of good architecture and layout and are sympathetic to local character and the surrounding built environment.

Core Strategy Policy CS08 states: 'All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to ... 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.'

The site comprises part of the side garden of No. 20 Westfields, which is on the north side of a cul-de-sac that forms a spur off the rest of Westfields. The cul-de-sac is characterised by equally spaced two storey semi-detached houses that form a uniform pattern within the street scene.

Due to their overall orientation, the properties located in the corners of this part of Westfields are set within larger plots, with substantial side gardens. The construction of a dwelling in this location pays little regard to the prevailing character of the locality and is considered to lead to a cramped form of development to the detriment of the character and visual amenities of the area. The application is therefore considered contrary to policy CS08 of the Core Strategy (2011) which states that new development will be required to demonstrate its ability to respond to the context and character of the area by ensuring that scale, density, layout and access will enhance the quality of the environment. Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) reinforces this, stating:

'The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.'

This proposal, located to the north of the donor dwelling within an established cul-de-sac formed of evenly spaced semi-detached dwellings is considered to result in a cramped form of development that is contrary to the form and character of the area. The application is therefore considered contrary to policy CS08 of the Core Strategy (2011) and DM15 of the Site Allocations and Development Management Policies Plan (2016).

Impact upon adjoining properties:

The proposed dwelling, located at an angle with access onto the adjacent cul-de-sac is orientated with windows on the front elevation facing towards the rear of the donor dwelling, providing a viewpoint towards this neighbouring property and its private amenity space. Whilst one window on the front elevation is proposed to be obscure glazed, with approximately 3.6m between the proposed dwelling and the shared boundary, the distance between dwellings is nominal. It is considered that the application would lead to an unneighbourly form of development to the detriment of the amenity of both existing and future occupiers. The potential for and perception of overlooking from both windows on the first floor front elevation (south east) of the property towards the neighbouring property and its private amenity space combined with the close proximity of the dwelling to the donor plot leads to negative impacts on the amenity of occupiers, contrary to policies CS06 and CS08 of the Core Strategy (2011) and DM15 of the SADMP (2016).

Highway Safety:

Changes to the existing access onto Westfields are proposed to allow space for the new dwelling's driveway and turning area. No objections were raised from the Local Highway Authority subject to conditions relating to the laying out of the access prior to occupation.

Flood Risk:

The site is located within flood zones 2 & 3 of the Borough Council's SFRA. An FRA was submitted with the application that has drawn no objection from the Environment Agency. Proposed floor levels are shown at 300mm above adjacent road levels, with 300mm flood resilient construction above FFL to mitigate against a breach of flood defences. The proposal is considered to pass both the sequential and exceptions tests, as there are no reasonably available sites located at a lower risk of flooding, and the site is located in a sustainable location as outlined with policy CS02 of the Core Strategy (2011).

Conclusion:

In conclusion, the proposed new dwelling is considered to constitute a cramped and unneighbourly form of development to the detriment of surrounding properties and the form and character of the area as a whole as outlined above.

The proposal therefore fails to accord with the provisions of the NPPF (2019), Core Strategy Policies CS06 and CS08 of the Core Strategy (2011), and Policies DM2 and DM15 of the SADMP (2016). It is recommended that members refuse the application for the reasons discussed above and detailed below.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The prevalent character of this part of Westfields is regularly spaced semi-detached dwellings. The proposed construction of a dwelling in this position would constitute a piecemeal form of infill development that would pay little regard to the prevailing character of the locality. It would result in a comparatively cramped form of development and would fill a gap between properties in a way which fails to maintain the continuity of the street scene and would be inappropriate to its context.

The application is therefore considered contrary to the NPPF, Policies CS06 and CS08 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016).

- 2 The proposal represents an undesirable and unneighbourly form of development, detrimental to the amenities of the occupiers of adjoining residential properties particularly by reason of perceived overlooking and lack of privacy as a result of the close proximity of the dwelling to the donor plot. The development is therefore considered contrary to the wider aims of the NPPF (2019), policies CS06 and CS08 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016).