

Parish:	Grimston	
Proposal:	Reserved Matters application for one dwelling	
Location:	Land N of 105 And Immediately W of 101 Leziate Drove Pott Row Norfolk	
Applicant:	Mr John Sandle	
Case No:	19/01038/RM (Reserved Matters Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 6 August 2019

Reason for Referral to Planning Committee – called in by Councillor De Whalley

Neighbourhood Plan: No

Case Summary

The site is part of a former grassed paddock north of 105 and west of 101 Leziate Drove, Pott Row. The site is bounded by a recently constructed detached, dwelling to the south west, large barns to the north east, an area of open land to the rear and treed, open land on the opposite side of Leziate Drove.

Outline planning permission was approved on this site in June 2016 for the construction of two new dwellings; one on this site and one on a separate parcel of land to the south west. The outline permission was approved with all matters reserved.

This application therefore seeks approval of all of the reserved matters of access, appearance, landscaping, layout and scale.

The National Planning Policy Framework, 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
- Highways
- Affordable Housing
- Other considerations

Recommendation

APPROVE

THE APPLICATION

The proposal relates to an area of land 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 site benefits from outline planning permission for residential development. An application for outline planning permission was approved in June 2016 for two dwellings; one on this application site and one on part of the paddock further south west.

When the outline application was considered the council did not have a 5 year housing land supply and as such the policies in the local plan were not up to date and the application was assessed in line with the presumption in favour of sustainable development outlined in the NPPF.

This application proposes one, two storey dwelling set back from the highway with parking and turning to the front of the site.

SUPPORTING CASE

The applicant has submitted the following supporting case:

‘These two applications are for the reserved matters for two new residential dwellings on generous sites on Leziate Drove. The sites have outline approval in place dating from 2016 (16/00213/O and 15/02084/O), at which time outline approval was granted for four plots along this section of land facing Leziate Drove. One of the houses has already been built out and is occupied by the applicant’s son; these applications seek approval for the reserved matters relating to the two dwellings to the north of the existing house.

The Outline Permissions in place allow for the construction of 2 storey dwellings with garages. Permission 16/00213/O allows for two dwellings, with the combined Gross Internal area across the two plots not exceeding 400m². Permission 15/02084/O allows for a single dwelling with an internal area not exceeding 300m².

The designs put forward as part of these reserved matters applications fall within these parameters.

The two houses have been designed as a complimentary pair, with the same materials and styling. They also utilise the same palette of materials as the existing already constructed house to the south, although are suggesting a slightly more contemporary styling of the traditional materials to reflect a desire amongst homeowners for more contemporary dwellings.

The houses have flint and brick gables facing onto the street, with hipped slate tiled roofs. 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 rear of the house is more contemporary still, with large glazed areas to the bedrooms and living rooms.

The proposed dwellings follow the same line relative to the street as the existing built dwelling, with driveways and parking areas to the front facing the street. The larger of the two houses has a detached garage, mirroring the approved garage to the existing house. The accesses from Leziate Drove have 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.'

PLANNING HISTORY

This site:

19/00418/F: Committee Decision; Application Refused: 01/07/19 - Proposed new build dwelling - Land N of 105 and Immediately W of 101 Leziate Drove Pott Row Norfolk;

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

Adjoining sites:

19/01035/RM: Also on this agenda: - Reserved Matters application for one 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)

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: NO OBJECTION

Highways Authority: NO OBJECTION - conditionally

Environmental Health & Housing – Environmental Quality: NO OBJECTION – recommend informative re: solid fuel

Natural England: NO OBJECTION

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)

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 key issues identified in the consideration of this application are as follows:

- . 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 a new dwelling, which is extant (lpa ref: 16/00213/O).

This reserved matters application for a single residential unit has been submitted in line with the time constraints of the outline consent, and seeks approval of the access, appearance, landscaping, layout and scale.

The principle of a dwelling on this site has therefore already been agreed through the outline consent. Accordingly in this case only the details of the reserved matters are the issues for consideration.

The outline planning permission (lpa ref: 16/00213/O) granted consent for two dwellings; one on this application site and one on a separate parcel of land to the south west of this site.

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

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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 surrounding area comprises a mix of dwelling types consisting primarily of 20th century bungalows with a few chalet style and two storey properties. A series of barns are to the north east of the site. The northern side of Leziate Drove and the area to the south of the houses along Leziate Drove are open fields.

The relevant outline planning permission (Ipa ref: 16/00213/O) which granted consent for the two dwellings placed a restriction on the combined gross internal area (GIA) of the two dwellings to no more than 400m² (condition 7). However, full planning permission was subsequently approved on the site to the south west which approved a single, detached dwellinghouse under ref: 17/00257/F.

This two storey dwellinghouse (ref: 17/00257/F) has recently been constructed. The floor area of this neighbouring property is approximately 450m² and although of traditional proportion, this new dwelling has some more contemporary features, particularly in regard to the large amounts of glazing and varied types of fenestration.

These reserved matters plans show a single dwelling with a floor area of 205m² which roughly accords with the restrictions set in the outline consent, although this is largely academic given that development on part of the site has already been superseded by the subsequent full permission ref: 17/00257/F.

The house has been positioned centrally within the site with car parking and turning to the north east part of the site. The front elevation 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 14m. There is also a grass verge in front of the site of a depth of approximately 4m.

Vehicle access will be from Leziate Drove and can be obtained between the mature trees on the roadside frontage which means they can be retained. This will retain the character of the area and reduce the impact of the house on the streetscene.

The design of the proposed dwelling takes some reference from the recently constructed new dwelling to the south in terms of scale, proportion and the palette of materials. The DAS describes the dwelling thus:

'The house has a single street facing gable, mirroring the style of the house applied for on the neighbouring plot. The remainder of the house is under a hipped roof. This gives a rhythm to the front elevation, while also helping reducing the apparent scale of the house by reducing the amount of roof facing the street. The elevation treatment is intended to be a contemporary take on the traditional flint and brick houses locally.

The windows are vertical in orientation and slightly taller than standard, further emphasising the contemporary nature of the house, while also giving the elevations a verticality. The central entrance is denoted by tall and wide entrance door and windows under a flat canopy, with expansive glazing above to the circulation atrium.'

The overall design of the proposal may differ from that of the predominant observed character in the context of neighbouring dwellings, but 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. Although of traditional proportions, with a single front gable, chimney and hipped roof the window styles are of a more contemporary nature.

The positioning in terms of the set back from the road and the retention of the roadside trees 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 dwelling.

The applicant has provided a streetscene showing how the proposed dwelling would sit adjacent to existing development. This shows that the ridge height is comparable with the recently constructed dwelling to the south west and is of appropriate mass and scale for the 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.

The Parish Council do not object to the proposed dwelling on his site. It is of note that they had objected to the previous application ref: 19/00418/F.

Highway Issues

A single vehicular access point is proposed from Leziate Drove.

NCC Highways comment that the proposal accords with the highway standards and have expressed no objections to the proposal subject to appropriately worded conditions.

Affordable Housing

In terms of affordable housing this site is considered to be part of a larger site which was subdivided with separate planning consents. Accordingly Policy DM8 applies.

The additional land which forms the remainder of the larger site extends across the whole gap between No 101 and 115 Leziate Drove. One dwelling has already been constructed (application ref: 17/00257/F) on the site where 2 units were previously granted outline consent (application refs: 15/02085/O and 16/00213/O). A total of four dwellings have been approved in outline on the land between 101 and 115 Leziate Drove.

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.

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

The refusal of planning permission ref: 19//00418/F was for a dwelling which was more than double the size of this current proposal in terms of GIA. The floor area of the refused dwelling was approximately 530m²; compared to this current proposal of 205m². The site boundary of this refused application incorporated the land where outline planning permission was in place for two dwellings (lpa ref's 16/00213/O and 15/02084/O).

This proposed single property was of significant size and was refused planning permission due to its design and large scale by the Planning Committee on 1 July 2019. The Committee considered the proposed substantial dwelling would not preserve the character of the streetscene and would be an obtrusive and discordant form of development within the countryside. The development was therefore considered to be contrary to paragraphs 127 and 130 of the NPPF, Policies CS06 and CS08 of the Core Strategy 2011 and Policy DM1 & DM15 of the Site Allocations and Development Management Policies Plan 2016.

Condition 5 of the outline permission requires that details of the foul and surface water drainage are submitted and approved by the LPA prior to the commencement of development. Depending on the drainage strategy, consent may be required from the King's Lynn Internal Drainage Board (IDB) if surface water discharge or treated foul water is discharged to a watercourse. However, these details have not been submitted at this stage so will need to be cleared by separate discharge of condition application.

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 pre-commencement planning condition be imposed to protect the trees and hedgerow before any construction begins.

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.

The site is in Flood Zone 1 and there are no flood risk issues.

CONCLUSION

This application seeks reserved matters for a detached single dwelling in line with the outline planning permission already approved on the site.

The proposed dwelling is of appropriate design and scale and meets the criteria set out in the planning conditions with regard to floor area restrictions. The palette of external materials is appropriate in context and will be in keeping with the recently constructed dwelling on the adjoining site.

Safe access is achievable and the mature trees to the front of the site can be retained.

There are no neighbour amenity or flood risk issues and the proposed development raises no issues with regard to nature conservation.

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. It is therefore recommended for approval.

RECOMMENDATION:

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

- 1 Conditions: The development hereby permitted shall be carried out in accordance with the following approved plans:
 - * Drawing No. PP.502, Location and Proposed Site Plan
 - * Drawing No. PP.2002, Proposed Elevations and Section
 - * Drawing No. PP.1102, Proposed Floor Plans & Street Scene Elevation
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Conditions: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 2 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 3 Conditions: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian access shall be constructed in accordance with the highways specification TRAD 5 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.
- 3 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety.

- 4 Conditions: Any access gates / bollard / chain / 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. Any sidewalls / fences / hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.
- 4 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened.
- 5 Conditions: 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 areas, in the interests of satisfactory development and highway safety.
- 6 Conditions: 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.
- 6 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.