

Parish:	Clenchwarton	
Proposal:	Reserved Matters application for four detached houses	
Location:	Land East of The Grange Main Road Clenchwarton Norfolk	
Applicant:	Buildwise Ltd	
Case No:	19/01288/RM (Reserved Matters Application)	
Case Officer:	Mr K Wilkinson	Date for Determination: 24 September 2019 Extension of Time Expiry Date: 6 December 2019

Reason for Referral to Planning Committee – The application has been called in for determination by the Planning Committee at the request of Cllr David Whitby

Neighbourhood Plan: No

Case Summary

This application seeks reserved matters approval for the construction of 4 dwellings following outline permission granted under application ref: 15/02008/O (all matters were reserved for future consideration).

The site comprises a strip of field frontage approximately 0.3ha in size on the southern side of Main Road (to the east of No.262 and west of the Wildfields Close estate which constitutes the edge of the village development area). Clenchwarton is defined as a Key Rural Service Centre in the settlement hierarchy contained in the Core Strategy of the Local Development Framework. This site is part of one of three allocated sites identified for housing development within the Site Allocations and Development Management Policies Plan for Clenchwarton, and Policy G25.3 relates specifically to development of this allocation together with a larger strip of land to the west of No.262 – an application for that parcel of land is reported elsewhere in this agenda (application ref: 19/01287/RMM).

The principle of development has already been established; this application addresses the matters of access, scale, appearance, layout and landscaping.

The application has been called in for determination by the Planning Committee at the request of Cllr David Whitby.

Key Issues

Impact upon character and appearance of the locality;
Access and highway implications;
Impact upon neighbouring properties; and
Any other material considerations

Recommendation

APPROVE

THE APPLICATION

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SUPPORTING CASE

The agent has submitted the following statement in support of this application:

“The existing site is agricultural land, with Outline Planning Approval for 4no. two storey residential dwellings. The Outline Approval notice has 2no. pre-commencement conditions attached, which relate to Off-site Highway improvement works (footpaths) and the Surface and Foul Water drainage designs (including SUDS).

This site has been added to the Site Allocations and Development Management Policy as an allocation for development of residential dwellings.

A drainage design has been produced from a specialist drainage company which is currently in the process of obtaining IDB consent to discharge surface drainage into the existing surrounding ditches. Once this has been approved, a discharge of condition application will be submitted to the Planning Department with the proposed surface and foul drainage layouts for approval. The Highway improvement details, which will also be designed by a specialist company, will be submitted for approval by Highways. All of which must be approved prior to any works on site commencing.

The proposed dwellings have finish floor levels of 4.3m AOD to comply with the Flood Risk Assessment approved within the Outline Planning Approval (reference: 15/02008/O). The ground levels to the front are raised to allow for complete level threshold access, (to comply with Part M), the proposed ground level then falls to the rear garden. Each property has a raised patio to the rear before stepping down to the grassed garden areas (approximately existing site levels).

The proposed materials used on these dwellings are a mixture of facing brickwork, render and horizontal cladding.

The layout of the site has been designed so that there are no overshadowing issues to the existing neighbours and as the rear gardens of each dwelling are south facing, neither of the dwellings will overshadow each other either. The proposed site comprises of 4no. four bedroom dwellings.

Plot 1 doesn't have any windows to the side of the property and Plot 4 only has obscured windows to the bathrooms to eliminate any over-looking issues to the existing neighbours.

All of the proposed dwellings have adequate parking to comply with the Residential Parking Standards which also includes manoeuvring in and out of the allocated parking areas to remove any need to reverse onto Main Road, Clenchwarton.

The proposed site is located within the centre of Clenchwarton. The village itself comprises of a Primary School (approximately 0.4 miles away), Local Businesses, such as a public house/restaurant (approximately 0.1 mile away), a small convenience store within walking distance (approximately 0.5 mile away), a post office (approximately 0.6 mile away) and there is also a parish field / park (approximately 0.5 miles away). There is also a bus stop 0.1 mile away (across the road) from this site on Main Road, Clenchwarton (outside the Victory Inn Public House) which can take you to King's Lynn Town Centre. This allows for residents to access local towns / villages without having to drive.

This proposed site layout indicates the installation of native hedging to the North, East and South boundaries to break up the increased ground levels as much as possible. This would also provide ecological enhancement for the area and improves the boundary treatments."

PLANNING HISTORY

15/02008/O: Application Permitted: 14/12/16 - Outline application for the construction of four detached houses

RESPONSE TO CONSULTATION

Parish Council: Original submission: **SUPPORT** application if there are no objections from neighbours. It has been brought to the attention of the Parish Council that there may be asbestos in the brick rubble drive ways. Please could this be checked?

Amended scheme: **NO OBJECTION** - Clenchwarton Parish Council feel that disabled access should be included; they also have concerns that visually the black cladding is not in keeping with the street scene.

Highways Authority: **NO OBJECTION** – subject to conditions relating to access construction details, no gates or obstructions to accesses, visibility splays, provision of parking and turning areas, details of proposed future management and maintenance, and on-site parking provision for construction workers

Environmental Health & Housing – CSNN: **NO OBJECTION** – subject to condition regarding details of air source heat pumps and construction hours.

Housing Development Officer: **NO OBJECTION** - I have reviewed the revised plans for the affordable units and confirm it meets our space standards.

King's Lynn Drainage Board: NO OBJECTION – raise byelaw issues which will require the consent of the IDB.

REPRESENTATIONS

Initial submission: A total of **four** items of correspondence received **objecting** on the following grounds:

- The proposed development by reason of its size, depth, width, height, massing and external areas would have an unacceptably adverse impact on the amenities of the properties immediately adjacent to the site and the surrounding area, by reason of overlooking, loss of privacy and visual/overbearing impact
- Style and proposed materials would be out of keeping with the design and character of the existing dwellings – better examples of infill/frontage development set at lower levels
- Layout and raised construction levels
- Surface water drainage and sewerage
- Disturbance from headlights from vehicles on elevated parking area
- How will drainage dyke be accessed for maintenance?
- Effect of piling on structure of adjoining dwelling
- Query over site address

Amended scheme: **two** items received **objecting** on the following grounds:

- Concerns regarding off-site drainage issues
- Overbearing impact – Plot 4 dwelling should be 1½ storey as conditioned at outline stage
- Out of character by virtue of large footprints, high ridge levels, large windows at the front, black cladding and car parking/hardstanding at front of dwellings
- Request site visit by Members to assess impact

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM1 – Presumption in Favour of Sustainable Development

DM8 – Delivering Affordable Housing on Phased Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

This site has outline permission and this application is to consider the reserved matters only. The key issues for consideration when assessing this application are as follows:

Impact upon character and appearance of the locality;
Access and highway implications;
Impact upon neighbouring properties; and
Any other material considerations

Impact upon character and appearance of the locality

The layout of the proposal is primarily frontage development with a central single access point onto Main Road leading to a private drive serving four houses. There is a 3-5m wide management strip to a land drain to the west of the site and an agricultural access strip between 11.5 – 16m wide retained to the east. The development proposed lies within the site area approved at the outline stage.

The dwellings proposed comprise 4No. substantial four bedroomed houses; Plot 1 has a detached double garage with study above set in front of the dwelling and Plot 2 has an integral single garage. They are similar width plots; all have parking and turning areas at the front, and raised patios and lower private garden areas to the rear/south approx. 8m in depth.

Frontage development was envisaged when the allocation was made and is consistent with the form and character along Main Road.

The site lies within Flood Zone 3 of the Strategic Flood Risk Assessment and a condition applied to the outline permission specified the finished floor levels of the dwellings to be at 4.3 metres aOD (i.e. approx. 1.7m above existing ground level) in accordance with the site specific Flood Risk Assessment. With the flood risk implications in mind, the dwelling types were also conditioned to be no lower than 1½ storeys in height (as no bedrooms to be created at ground floor level). In order to achieve these flood mitigation measures the front of the site has been graded and raised up by approx. 1700mm to 3.4m aOD with level access to the front doors. The sides have also been graded to reduce the visual step in levels. The houses have rear patios with steps down into the rear garden areas graduated down to existing ground levels. Typical eave and ridge heights are therefore approx. 6.3m & 9.7m above existing ground levels respectively; and 6m & 9.7m above the level of Main Road.

The houses are individually designed mostly with pitched main roofs with parallel ridges to the road and projecting two storey elements presenting (mostly) glazed gables to the front. The unit on Plot 4 is slightly different in that it has an L-shaped footprint; the main element has a hipped roof and a 1½ storey glazed projection towards the road. This combined with

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the detached garage to Plot 1 gives visual end stops to the row of buildings. The roofs are in red pantiles and slate grey tiles.

The facing materials comprise a mixture of render, multi-red brickwork, slate grey cladding, grey uPVC windows plus black rainwater goods. The concerns of the Parish Council and local residents were noted, and in response, the black cladding has been amended to slate grey. The cladding is not used extensively, but seeks to accentuate projections and single storey elements plus creates some unity to this collection of buildings. The style of the houses and palette of materials are contemporary, however are considered to be compatible to this locality, which is made up of a variety of styles (including bungalows, chalets, houses, public house and Methodist Church) and materials.

Both hard and soft landscaping is detailed within the submitted plans, and creates a 'soft' edge to the development by the use of hedging to the frontage behind the land drain, plus rear and eastern peripheral boundaries. The implementation and establishment of the landscaping may be secured via condition.

The proposed reserved matters of layout, scale, appearance and landscaping, are considered to be acceptable in this context and would not adversely affect the character and appearance of this locality.

Access and highway implications

As stated above, the site layout shows a single access point onto Main Road. The Local Highway Authority (LHA) raise no objection to the proposal subject to certain conditions relating to: access construction details, no gates or obstructions to accesses, visibility splays, provision of parking and turning areas, details of proposed future management and maintenance of the private road, and on-site parking provision for construction workers.

Given the number of dwellings served by the access it is obviously a private road and will be maintained by the four property owners. The LHA has agreed that it is not therefore necessary to secure the management and maintenance via condition as previously requested. The condition has been used on the larger scheme given that 10 dwellings are proposed to be served off a private drive and its adoption by the LHA would not be supported.

There are three parking spaces per dwelling (including garaging as appropriate) and turning space which is adequate to meet the adopted standards.

The outline permission included a condition to secure off-site highway improvement works in the form of a footway fronting the site, and continuing to link in an easterly direction to the existing footway provision located in front of 248 Main Road. This can be achieved and secured/implemented in accordance with conditions 5 & 6 attached to the outline permission.

Impact upon neighbouring properties

The inter-relationship and impact of the proposed dwelling on Plot 4 upon the adjoining dwelling The Grange/No.262 Main Road to the west is the most contentious issue.

The Grange is a two storey house of traditional proportions with a substantial two storey extension to the rear. It is set within established grounds with mature hedging to the sides and rear. At first floor level in the eastern elevation it presents two secondary bedroom windows, a sole bedroom window plus a bathroom window serving habitable rooms. Concerns were raised at the originally submitted scheme and in response the plans were amended to increase the separation distance from the side elevation of The Grange to

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14.8m to the front projection and 15.6m to the main body of the proposed house. The ground floor openings, patio and parking are contained by screen fencing, and the first floor openings in the west elevation comprise an obscurely glazed bathroom window and a high level rooflight serving an en-suite. There are therefore no direct overlooking implications and the screen fencing would prevent headlights having an impact.

The front projection with the raised floor level effectively equates to a full two storey dwelling parallel to the side of The Grange with eave height at approx. 5m and roof angled away; elevation to elevation separation is some 15m. Section plans show that the two storey element raises to 6.3m eaves above ground level (agl) and hipped roof ridge at 9.6m agl (once again sloping upwards and away to the east; however this is set back behind the rear elevation of The Grange. There is also a substantial hedge along the rear part of the side boundary to The Grange.

Whilst there would be a minor impact upon the amenities of The Grange, it would not be so significant as to warrant grounds for refusal as suggested by the objectors. Given the orientation of the buildings, separation distances, boundary treatments and levels involved, the inter-relationship between the said dwellings is considered to be acceptable in terms of overbearing and overshadowing implications.

Given the elevated position of the rear patios, side screens have been used to negate issues of direct overlooking between the proposed dwellings.

The inter-relationship with No.248 to the east is considered to be acceptable given the separation distances involved (between 11.5-16m to boundary) and existing boundary treatment of that property – a 3m plus high laurel hedge.

The dwellings on the opposite side of Main Road are set back from the road frontage and will not be adversely affected.

Any other material considerations

The majority of the issues raised by third parties have been dealt with above when considering the detailed design and layout. Some of the grounds of objection raised by third parties relate to matters that were dealt with at the outline planning stage or will be secured via discharge of conditions attached to that permission. Conditions for discharge relate to the following: foul and surface water disposal, off-site highway improvements (footpath provision), and fire hydrant(s).

The land drains along Main Road and to the western side of the site are maintained by the current landowner. Provision has been made in the layout to continue this arrangement.

The Parish Council indicate that they would like to see disabled access to the dwellings included. The dwellings do indeed have level thresholds to the front doors and therefore will meet Part M of Building Regulations.

The Parish Council also raised local concerns that brick rubble driveways could contain asbestos-containing materials; this was investigated by Environmental Health and resolved without the need for any formal action.

Affordable housing was secured via Section 106 agreement covering both outline permissions for a total of 20 dwellings on the sites of the allocation under policy G25.3. Four built units are proposed on the site for 16 houses submitted under ref: 19/01288/RMM and reported elsewhere in this agenda. The size and positions of the dwellings are considered to be acceptable to our Housing Enabling Officer.

The Section 106 agreement attached to the outline permissions for the combined allocated sites, also secured a financial contribution of £23,033.83 towards the provision and maintenance of play equipment on the Parish Council playing field (west of Hall Road).

Concerns are raised with regards to the effect of piling upon the adjoining property; however this is a civil matter to be addressed between the developer and the third party, and is not a material planning consideration.

Crime and Disorder There are no significant crime and disorder issues raised by this proposal.

CONCLUSION

The proposal constitutes a form of development which respects, and is considered to be complementary to, the character and appearance of this locality and fully meets the expectations of Policy G25.3 of the SADMPP.

For the reasons stated above it is concluded that the reserved matters application complies with the provisions of the NPPF, Policies CS01, CS02, CS08, CS09 & CS11 of the LDF and Policies DM1, DM2, DM15 & DM17 of the SADMPP. The application is therefore duly recommended for approval subject to certain conditions stated below.

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:

18-P60-PL050D
18-P60-PL051D
18-P60-PL052D
18-P60-PL053A
18-P60-PL054C

- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to the commencement of development a scheme detailing provision for on-site parking for construction workers for the duration of the construction period shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 2 Reason: To ensure adequate off-street parking during construction in the interests of highway safety; and to accord with the provisions of Core Strategy Policy CS11 of the LDF. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 3 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian accesses crossing over the verge / ditch / watercourse / footway shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority and thereafter retained at the position shown on the

approved plan. 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.

- 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 and to accord with Policy CS11 of the LDF.
- 4 Condition: Prior to the first occupation of the development hereby permitted visibility splays measuring 2.4 metres x 59 metres shall be provided to each side of the access where it meets the highway. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 4 Reason: In the interests of highway safety in accordance with the principles of the NPPF.
- 5 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason: In the interests of highway safety and to accord with the provisions of the NPPF.
- 6 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details (Dwg No. 18-P60-PL050D). The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 7 Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 7 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 8 Condition: Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.
- 8 Reason: In the interests of the amenities of adjoining residential properties and to accord with the provisions of the NPPF and Policy DM15 of the SADMPP.

- 9 Condition: Prior to occupation of any dwelling its associated screening to the rear patio shall be implemented as per the approved plans and maintained in that condition thereafter.
- 9 Reason: To prevent overlooking of adjoining dwellings and in the interests of residential amenity; to accord with the provisions of the NPPF & Policy DM15 of the SADMPP.