

Parish:	Grimston	
Proposal:	Proposed extension and loft conversion	
Location:	Cambrian 57 Lynn Road Grimston King's Lynn Norfolk	
Applicant:	Mr & Mrs Mason	
Case No:	20/00428/F (Full Application)	
Case Officer:	Mr J Sheldrake	Date for Determination:

Reason for Referral to Planning Committee – Called in by Cllr de Whalley

Neighbourhood Plan: No

Case Summary

The application involves a loft conversion and a single-storey rear extension to a single-storey detached bungalow on the south side of the Lynn Road in Grimston.

The application site falls within the development boundary.

Key Issues

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

- Principle of development;
- Impact on the Form and Character of the Area;
- Impact on Residential Amenity; and
- Other considerations.

Recommendation

APPROVE

THE APPLICATION

The existing single-storey dwelling is set back and down from the road, with its principal elevation in line with the other dwellings in the row, and is constructed from red brick and concrete tiles.

The proposed extensions and alterations to the dwelling involve the raising of the roof, the insertion of dormer windows in the front and rear roof slopes, the construction of a single-storey extension to the rear, the construction of a porch to the front, and minor alterations to windows. The proposal also involves the addition of render to the main walls of the dwelling and replacement roof tiles.

The proposed rear extension will be 6 metres deep and 3 metres in height. The proposed boundary wall will be 2 metres high.

There are chalet style bungalows on nearby plots along the south side of the Lynn Road and many of the neighbouring bungalows are tall enough to have accommodation in the roof. There is also a mixture of different materials used in the locality, and other nearby dwellings have been updated with new windows and modern render.

PLANNING HISTORY

None.

RESPONSE TO CONSULTATION

Parish Council: NO COMMENT RECEIVED

Highways Officer: NO OBJECTION

Environmental Quality Officer: NO OBJECTION (with informative):

“Based on the information supplied, I have no objections to make regarding contaminated land or air quality.

However, due to the age of the existing dwelling, I would recommend the following informative:

The proposed development will include the refurbishment of the existing building which could contain asbestos materials. The Control of Asbestos Regulations 2012 (CAR 2012) require that suitable and sufficient assessment is carried out as to whether asbestos is or is liable to be present before demolition or other work is carried out. CAR 2012 requires that a suitable written plan of work must be prepared before any work is carried out and the work must be carried out in accordance with that plan. If asbestos is not managed appropriately then the site may require a detailed site investigation and could become contaminated land as defined in Part 2A of the Environmental Protection Act 1990.”

Water Management Alliance: NO OBJECTION:

“The site is within the Internal Drainage District (IDD) of the King’s Lynn Internal Drainage Board (IDB) and therefore the Board’s Byelaws apply. A copy of the Board’s Byelaws can be accessed on our website (https://www.wlma.org.uk/uploads/KLIDB_Byelaws.pdf), along with maps of the IDD (https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf). These maps also show which watercourses have been designated as 'Adopted Watercourses' by the Board. The adoption of a watercourse is an acknowledgement by the Board that the watercourse is of arterial importance to the IDD and as such will normally receive maintenance from the IDB. In order to avoid conflict between the planning process and the Board's regulatory regime and consenting process please be aware of the following:

- I note that the applicant has not identified or provided a drainage strategy for the site within their application. If a surface water discharge is proposed to a watercourse, then the proposed development will require land drainage consent in line with the Board’s byelaws (specifically byelaw 3). Any consent granted will likely be conditional, pending the payment of a Surface Water Development Contribution fee, calculated in line with the Board's charging policy (https://www.wlma.org.uk/uploads/WMA_Table_of_Charges_and_Fees.pdf).

- I am not aware of any riparian owned/maintained watercourses within or adjacent to the site boundary. However, this should be confirmed by the applicant. If the proposals do involve the alteration of a watercourse, consent would be required under the Land Drainage Act 1991 (and Byelaw 4).

Whilst the consenting process as set out under the Land Drainage Act 1991 and the aforementioned Byelaws are separate from planning, the ability to implement a planning permission may be dependent on the granting of these consents. As such I strongly recommend that the required consent is sought prior to determination of the planning application.”

Natural England: NO COMMENT RECEIVED.

REPRESENTATIONS

1 objection was received due to overbearance and loss of light from overshadowing and loss of daylight as a result of the proposed single storey rear extension and its proximity to a side window on the east-facing elevation of No. 59, the dwelling to the west. The objection states that the proposal breaks the “45 degrees rule” (a common standard for assessing overshadowing), and that it affects the right to light granted by the Prescription Act of 1832. The objection also makes reference to the proposed boundary wall, the requirement for a party wall agreement, and how the neighbour impact will harm the enjoyment of neighbouring property.

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

PLANNING CONSIDERATIONS

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

- Principle of development;

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- Impact on the Form and Character of the Area;
- Impact on Residential Amenity; and
- Other considerations.

The Principle of Development

The proposed development involves works to an existing residential dwelling and the proposed within its curtilage. Therefore, the principle of development is acceptable.

Impact on the Form and Character of the Area

The proposed loft conversion will involve the slight raising of the roof to a similar height to many of the nearby bungalows on the south side of the Lynn Road. The ridge level will only be slightly higher than the neighbour dwelling to the west.

The two dormer windows to the front-facing roof slope will be well balanced and will align with the replacement windows in the front elevation of the dwelling, so won't look unduly prominent in the street scene. The mixture of materials will combine together well and the porch to the front will fit the proportions of the altered dwelling.

The works to the rear of the dwelling won't be clearly visible from the public domain, so won't impact the street-scene.

Overall the works are considered an improvement to the dwelling.

Impact on Residential Amenity

There will be no windows at first-floor on the side elevations of the extended dwelling and the proposed ground-floor windows on the side elevations will be high-level, which will prevent significant overlooking. The first-floor windows in the rear elevation will face towards the garden, so won't allow significant overlooking of either neighbouring dwelling. The rear dormer windows would allow the occupants of the dwelling to walk onto the flat roof of the rear extension, which would allow significant overlooking of the adjacent dwellings, so a condition has been imposed removing the right to use the roof of the rear extension as a roof terrace.

The proposed 3 metres tall and 6 metres deep single-storey rear extension will cause overshadowing and overbearance on the east-facing side window of the neighbouring dwelling to the west (No. 59). This side window of No. 59 is approximately a metre away from the shared boundary and is approximately 1 to 2 metres beyond the rear of the rear elevation of No. 57. The window is already overshadowed by a 2 metre tall boundary hedge.

A rear extension could be constructed in the same location as the proposed rear extension under permitted development rights to a depth of 4 metres without prior notification of the Local Planning Authority. It's overall height beside the boundary could be 4 metres and its height to the eaves could be 3 metres.

The proposed rear extension would be 3 metres high and would have a depth of 6 metres. Given that the side window of the No. 59 is only 1 to 2 metres beyond the rear of No. 57, the proposed 6 metre deep extension would have a very similar impact to a 4 metre deep extension constructed under permitted development rights.

The proposed rear extension will cause overbearance and overshadowing, but the level of impact is not considered materially greater than the impact of an extension, described above, that could be built under permitted development. Given the permitted development fallback

position that the applicant has, it would be unreasonable to refuse the current application due to the overshadowing and overbearing impact on the side window of No. 59.

The proposed wall on the side boundary could also be constructed under permitted development rights, so it would also be unreasonable to refuse the application due to its impact on No. 59.

The dwelling to the west (No. 55) is set away from No. 57 and the windows on its west-facing side elevation are secondary windows. Therefore, the proposal won't significantly impact the neighbour amenity of No. 55.

Other considerations

The recommendations of the Environmental Quality Officer and the Water Management Alliance can be included as informatives as the issues they reference are covered by other legislation.

CONCLUSION

The principle of development is acceptable and it is considered that the proposed extensions and alterations will have an acceptable impact on the form and character of the area. With regards the impact on neighbour amenity, there is an issue in terms of impact upon the neighbour to the west (No. 59) . However, the proposed rear extension is only slightly deeper than what could be built under permitted development in this location, and is lower in height. The impact of the proposed extension isn't considered materially greater than the impact of an extension that could be constructed under permitted development rights, so it isn't considered reasonable to refuse the application due to the impact upon No. 59.

The proposal complies with Policies CS01, CS02 and CS08 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Policies Plan (2016), and the provisions of the National Planning Policy Framework (2019).

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 91 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:

514-02 B Proposed plans and elevations
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The roof of the extension hereby approved shall not be used as a roof terrace.

3 Reason: To protect the residential amenities of the adjacent dwellings.