

Parish:	South Wootton	
Proposal:	Proposed new Residential Dwelling	
Location:	3 Nursery Lane South Wootton King's Lynn Norfolk PE30 3LB	
Applicant:	MRS M ALBINSON	
Case No:	21/01740/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 16 November 2021

Reason for Referral to Planning Committee – Called-in by Councillor Middleton

Neighbourhood Plan: Yes

Case Summary

The application site relates to an irregular parcel of land, measuring approximately 431 square metres. It is currently used as garden land associated with No. 3 Nursery Lane, situated on the west side, near the junction of Low Road, South Wootton.

The application seeks consent for the construction of a chalet style bungalow.

South Wootton is classified as a settlement adjacent to Kings Lynn within the Core Strategy's Settlement Hierarchy.

Key Issues

- * Principle of Development;
- * Form and Character;
- * Neighbour Amenity;
- * Highway Safety;
- * Other Material Considerations

Recommendation

REFUSE

THE APPLICATION

The application site relates to an irregular parcel of land, measuring approximately 431 square metres. It is currently used as garden land associated with No. 3 Nursery Lane, situated on the west side, near the junction of Low Road, South Wootton.

The application seeks consent for the construction of a detached 3 bedroom chalet style bungalow. It is proposed to subdivide the existing plot of No. 3 leaving the donor property with a smaller garden.

The proposed dwelling has a footprint of approximately 90.1 square metres, measuring 10.6m in depth by 8.5m in width. It is approximately 6.5m in overall height to the ridge and 2.3m to the eaves. The new dwelling will be set back within the site by approximately 4.2m from the frontage, approx. 3.4m from the southern boundary and approx. 6.4m from the northern boundary.

It is proposed to be constructed using buff coloured facing brickwork, grey/black concrete interlocking roof tiles and double-glazed white uPVC doors and windows.

A new vehicular access is proposed to the northern end of the sites frontage, serving a parking and turning area to the front and side of the proposed dwelling.

A new pedestrian access is also proposed to serve the front of the property. The proposed private amenity space to the rear is an irregular triangular shape, measuring approximately 15.6m in depth at its maximum point along the northern boundary; and approximately 4.5m in depth at its minimum point to the southern side. The width of the garden across the back of the house measures approximately 15m.

The new dwelling is proposed to be located towards the southern side of the application site with a separation distance between its northern elevation and the donor dwelling's flank elevation of approximately 7.2m.

The new subdividing boundary will be set approximately 1.5m from the donor dwellings flank elevation.

This application is a resubmission of previous scheme (21/00437/F) which was refused for the following reason: -

1. The application is for the construction of a new dwelling near to the junction of Nursery Lane and Low Road, South Wootton. By reason of the constrained size of the plot, combined with the existing character of the streets by this road junction and the prominence of the site, the proposed dwelling is considered to comprise a cramped form of development which represents an incongruous addition to the street scene which is contrary to Policy CS08 of the Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Plan Policies (2016) and Policies H2, H3 and H4 of the South Wootton Neighbourhood Plan.

The current submission before the Committee is exactly the same as the previous scheme, no changes have been made to the proposal. However, it is proposed to revise the visibility splays slightly in accordance with standards so that more of the highway junction and pavement can be observed.

SUPPORTING CASE

A Planning Statement accompanies the application, which offers the following supporting case: -

Background:

The site is currently part of a large residential garden consisting of grassed areas, flower and vegetable plots attached to no 3 Nursery Lane, South Wootton. The area is predominantly built up with residential dwellings of various sizes ranging from single storey bungalows through to large two storey dwellings, the existing residential dwellings form a linear development along Nursery Lane which this proposal is in keeping with. The site also lies within the current development boundary for the village as indicated on the plans provided by the Borough Council of Kings Lynn and West Norfolk.

Recent planning history within close proximity to the site:

Over the previous years, several planning applications for new dwellings have been submitted and approved by the Borough Council of King's Lynn & West Norfolk in the parish of South Wootton, these include back yard developments of either one or several houses constructed behind existing properties, new houses constructed in front of existing dwellings and other small properties constructed within existing residential gardens. Listed below are four such applications which have been approved in recent times which have provided much needed additional housing in the fast-growing village of South Wootton, all within very close proximity to our site.

17/01924/O – 30 Low Road, South Wootton

18/02240/RM – Plot one, Low Road, South Wootton

16/01991/RM – Coach House, 12 Church Lane, South Wootton

16/00696/F – Land to the rear of 19 Nursery Lane, South Wootton

Site Information:

The existing site area is currently part of the large residential garden to No. 3 Nursery Lane, South Wootton King's Lynn, consisting of grass land and borders planter with flowers and vegetables as indicated on the photographs at the end of this document. The site is level and not considered to be in an area susceptible to flooding. The boundary to the South of the site consists of mature conifers trees which have been pollarded over the years however as no major trees will be affected by the proposals it is not considered that a tree report is required.

External Appearance:

The proposals for the site are to construct a new chalet style dwelling constructed in buff facing brickwork with a pitched roof over clad in concrete interlocking roof tiles, the windows will be UPVC double glazed and the building will be completed with fascia's, soffit's, and barge boards. The front porch will be an oak framed structure complete with glass infill guarding to provide views over the common. The dwelling has been designed with a gable front the Nursery Lane which will ensure that with the ridge running parallel with the existing property as no. 3 Nursery Lane will not create any over shadowing issues, the attached garage will have a gable wall adjacent to the new boundary created between the two properties however this is of small scale and not considered significant.

Impact:

With the design of the proposed new dwelling being of chalet style, with the main gable running from the front of the site to the rear, we do not consider that the proposal will have any affect on the adjacent properties. There are three windows on the side elevation, one over-looking no. 3 Nursery lane which is a bathroom window and will therefore be obscure glazed and two overlooking the property to the South of the site. These two windows are

adjacent to the hedged and conifer boundary which will prevent over-looking into the adjacent garden area.

Internal Layout:

The proposed accommodation will consist of the following:

Ground Floor:

Entrance hall

Ground floor shower room

Kitchen

Utility room

Family dining and lounge area

One double bedroom

First Floor:

Master bedroom

One further double bedroom

A Jack and Jill shower room

Landscaping:

New landscaping for the site will be introduced once the proposed new dwelling has been constructed, this will include landscaped borders to the rear together with grassed areas and a patio. The front will consist of landscaped borders.

Access:

This will be via a new vehicular access to the front providing all the required visibility splays together with a separate small pedestrian access to the front door.

PLANNING HISTORY

21/00437/F: Application Refused: 28/07/21 - Proposed new residential dwelling - 3 Nursery Lane, South Wootton

19/00184/PREAPP: INFORMAL - Likely to refuse: 17/01/20 - PRE-APPLICATION ENQUIRY (WITH CONSULTATIONS): new dwelling on plot adjacent - 3 Nursery Lane, South Wootton

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The Parish Council has viewed the new proposed plans and after much consideration still feels that the subdivision of the plot would leave the new and existing dwellings with little private amenity space contrary to the characteristic of the built form in the locality. The proposed dwelling would comprise a cramped form of development and represent an incongruous addition to the street scene, contrary to the NPPF and the South Wootton Neighbourhood Plan, Policies H2,H3 and H4.

The proposed new vehicular entrance is too close to the junction of Low Road and the entrance is blind both ways. This would cause difficult vehicular access and exit and cause highway safety issues.

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The Parish Council views all proposed Planning Applications individually and looks at the site, access and the street scene when making decision.

We note the comments in the Design and Access Statement regarding recent Planning History and would comment as follows:

17/01924/O – 30 Low Road. The Parish Council supported this application.

18/02240/RM – Plot one, Low Road. This site does not sit within the Parish Boundary of South Wootton. No Parish Council consultation or response.

16/01991/RM – Coach House. 12 Church Lane. The Parish Council objected to this application for a cramped form of development, out of character within the surrounding area. This was granted at appeal.

16/00696/F – Land rear of 19 Nursery Lane. The Parish Council supported this application.

I would also like to add that further applications in the area have also been objected to, as being a cramped form of development and out of character with the locality. The Red House, Hall Lane and Umberleigh, Hall Lane.

Highways Authority: NO OBJECTION conditionally

Internal Drainage Board: NO COMMENTS TO MAKE

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Natural England: NO COMMENTS TO MAKE

REPRESENTATIONS

ONE representation received from a local resident OBJECTING on the same grounds as in the previous application.

Flooding/run off – impact on nearby properties.
Existing high water table. Nearby gardens flood in winter.

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

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DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

Policy H2 - Encouraging High Quality Design

Policy H3 - Infill Developments

Policy H4 - Local Character

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The key considerations in the determination of this application are as follows: -

- Principle of Development;
- Form and Character;
- Neighbour Amenity;
- Highway safety; and
- Other Material Considerations

Principle of Development:

South Wootton is classified as a 'Settlement Adjacent to King's Lynn Sub Regional Centre' within the Core Strategy's Settlement Hierarchy. The principle of new development is acceptable in these locations where it can demonstrate a positive impact on the adjacent Sub Regional Centre and which will assist in both maintaining and enhancing the provision of services, employment and local retail needs.

Form and Character:

The creation of high quality, beautiful and sustainable places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development in creating better communities to live and work.

The overarching NPPF (paragraph 130) states that 'planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) 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;

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- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Locally, Policy DM15 of the SADMPP echoes the NPPF and explains how 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. Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Policy H2 of the South Wootton Neighbourhood Plan requires that development respects the form and character of the area in which it sits.

Policy H3 states that where infill plots or development in existing residential garden areas is proposed, the proposal should be sensitively designed and of high quality and not have a significant impact on surrounding amenity. Policy H4 requires that densities respond to local character.

The SADMPP (E.3.1) refers to South Wootton as a favoured residential area with its own distinct identity, with the area having a pleasant character with mature trees and gardens among mainly fairly low-density housing.

The proposed dwelling would be 1.5 storeys high with a porch, first floor balcony, flank dormer, solar panels and accommodation at roof level. It would be constructed from buff facing brickwork with concrete interlocking roof tiles. The porch would be oak framed with glass infill guarding. It would occupy the existing side garden of 3 Nursery Lane (No.3) and be near to the road junction with Low Road.

To the north of the application site is the donor dwelling No.3, a detached bungalow, and to the south and west lies No. 1 Nursery Lane which is a detached 1.5 storey dwelling. The immediate area comprises of predominantly large dwellings set within generous sized plots, often with spacious and/or verdant street frontages. At present the overall bulk and mass of properties near to the junction of Low Road and Nursery Lane are set back from the road, which allows trees and vegetation to dominate views. This also complements the village green on the opposite side of Nursery Lane.

The proposed dwelling would have a gable fronting on to Nursery Road and it would be highly visible along both Low Road and Nursery Lane due to its prominent position close to the road junction. Furthermore, the proposed dwelling would significantly reduce the size of the garden of No.3, which would reduce the spaciousness of the existing plot when viewed from both Low Road and Nursery Lane. The result is the proposed development would result in a cramped form of development which would result in the dwelling forming an incongruous addition to both street scenes.

By reason of the site location near to a road junction, the overall design fails to complement the character of the street scenes and is considered to comprise a cramped form of development. The application therefore fails to comply with policies CS08 and DM15 of the Local Plan and Policies H2, H3 and H4 of the South Wootton Neighbourhood Plan.

Neighbour Amenity:

The proposed ground floor flank windows would serve shower and utility rooms and the flank dormer would be for a stairwell, and these would not directly face neighbouring properties windows. The proposed balcony would face towards Nursery Lane. Due to its position at the front of the site and its set back from the flank boundaries, it would not harm neighbouring properties living conditions in terms of loss of privacy.

Given the scale and position of the proposed development, it would not result in an adverse loss of light or outlook to neighbouring properties or gardens and would comply with Policies CS08 and DM15 in this regard.

Highway Safety:

Whilst the proposed vehicular access off Nursery Lane serving the new site is within relatively close proximity of the junction at Low Road, NCC Highways have raised no objection on highway safety grounds because the visibility splays are proposed to be improved in accordance with adopted standard.

There is also adequate provision for on-site parking and turning.

The proposal would comply with Policy CS11, DM15 and DM17 in this regard.

Other Material Considerations:

Crime and Disorder:

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee is not considered to have any material impact upon crime and disorder.

Third Party Comments:

In regards to the concerns raised relating to drainage at the application and neighbouring sites, it is not considered that one additional dwelling of the scale proposed would materially affect the current drainage issues.

The applicant has indicated that soakaways are proposed to treat surface water, which is adequate for a development of this scale. It is unknown at this stage how foul sewage is going to be treated but if the application were recommended for approval, a suitable condition could deal with this.

Applicant's Agents comments:

In regard to other nearby sites which have been approved referenced in the Agent's Planning Statement, each application is considered on its own merits and those approvals do not create a precedent for other such proposals.

CONCLUSION

This application is a resubmission of a previous scheme for the subdivision of a site and the construction of a chalet style dwelling that was refused on grounds of cramped form of development.

In assessing a re-submission it is necessary to consider if the previous reason for refusal has been adequately addressed and the issues have been overcome.

As the scheme is the same and no changes have been made, other than the revised visibility splays at the proposed access, the previous reason still stands. The site is contrived and this, together with its prominence close to the junction of Nursery Lane with Low Road, will result in a cramped appearance within the street scene, which would be out of keeping with the character of the area.

Consequently, the proposal is contrary to the provisions of the NPPF, in particular paragraph 130, Policy CS08 of the Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Plan Policies (2016) and Policies H2, H3 and H4 of the South Wootton Neighbourhood Plan.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The application is for the construction of a new dwelling near to the junction of Nursery Lane and Low Road, South Wootton. By reason of the constrained size of the plot, combined with the existing character of the streets by this road junction and the prominence of the site, the proposed dwelling is considered to comprise a cramped form of development which represents an incongruous addition to the street scene which is contrary to the provisions of the NPPF, in particular paragraph 130, Policy CS08 of the Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Plan Policies (2016) and Policies H2, H3 and H4 of the South Wootton Neighbourhood Plan.