

AGENDA ITEM NO: 8/2(b)

Parish:	Heacham	
Proposal:	Proposed dwelling followign sub-division.	
Location:	6 Kenwood Road Heacham King's Lynn Norfolk	
Applicant:	Mr S Goldring	
Case No:	21/01610/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 28 January 2022

Reason for Referral to Planning Committee – Parish Council object, contrary to the officers recommendation.

Neighbourhood Plan: Yes

Case Summary

The application site is located on Kenwood Road, Heacham and comprises garden land located to the west of the donor property, No 6 Kenwood Road. The site is located within the development boundary of Heacham which is a Key Rural Service Centre as a defined by Policy CS02 of the Core Strategy 2011.

The proposal seeks permission for a new single storey dwelling following the subdivision of the site.

Planning permission has previously been approved on the site on two occasions for a single storey dwelling (outline permission and a full application). Both were approved via delegated decisions however, neither of the permissions were implemented and therefore, cannot be considered as a fall back position.

The current proposal has been amended from that originally submitted. The original plans showed a one and a half storey property with dormer windows to the front and rear of the property. Parking was positioned to the front of the site with a smaller parcel of amenity space to the rear.

The revised drawings show a much smaller, modest, single storey property with sufficient amenity space and parking and dormer windows removed.

Key Issues

- Principle of Development
- Form and Character
- Impact on Neighbouring Amenity
- Highway Safety and Parking
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application is located within the Key Rural Service Centre of Heacham. The proposal consists of a single storey dwelling following the subdivision of the western area of the donor dwellings garden land 6 Kenwood, Heacham. Access and parking would be positioned to the front and side of the proposed property (east and south) with the site accessed from Kenwood Road. Amenity space serving the new dwelling would be located to the north of the site.

The resultant plot is of rectangular shape, approximately 9.5m in width and 25.1m in depth.

The proposed dwelling would consist of a single storey property, constructed from red facing brickwork with upvc windows and doors. The property would be positioned in the middle of the plot with parking to the front and site.

PLANNING HISTORY

15/00830/F - Permitted - Construction of a new dwelling - Delegated

13/00732/O - Permitted - Outline application with some matters reserved: Proposed building plot for single storey dwelling - Delegated

RESPONSE TO CONSULTATION

Parish Council: OBJECT

Even though the site will be subdivided, it will still result in back yard development appearing inappropriate and out of context with surrounding dwellings.

Highways Authority: NO OBJECTION

The side space appears tight but given Kenwood Road is unadopted, it's not too much of a concern for us, I wouldn't have any concerns re highway safety.

Arboricultural Officer Makes the Following Comments:

It's a shame that this application calls for the removal of all of the existing trees/vegetation, unfortunately they do not meet the criteria for the serving of a TPO. If this is approved, replanting should be conditioned.

REPRESENTATIONS

A total of **20 OBJECTIONS** from **9** individuals regarding the following:

- Concerns over drainage into neighbouring property
- Concerns over the condition of Kenwood Road resulting in potential damage to vehicles
- Increase in vehicular movements
- Insufficient parking spaces for the application site and neighbouring dwellings
- Land ownership disputes

- Noise pollution
- Overbearing and loss of light
- Overlooking and loss of privacy
- Drawing inconsistencies and errors
- Loss of privacy
- Loss of trees
- Out of keeping with surrounding properties

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 3: Residential Extensions

Policy 4: Principal Residence Requirement

Policy 5: Design Principles

Policy 6: Residential Car Parking

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character (including loss of trees)
- Impact on Neighbouring Amenity

- Highway Safety and Parking
- Other Material Considerations

Principle of Development

The site lies within the development boundary of Heacham (a Key Rural Service Centre). The principle of residential development is therefore acceptable subject to compliance with other relevant national and local planning policy and guidance as well as the Heacham Neighbourhood Plan.

The site benefits from two previous approvals for a similar schemes (single storey dwelling) however, these permissions are now expired as they were not implemented. Clearly, a residential development in this location has been found acceptable.

Form and Character (including loss of trees)

The application proposes a single storey, detached dwelling following the subdivision of the western area of the host property's plot which is currently utilised as amenity land. The scheme has been amended from that originally submitted due to appearance, impact on amenity and parking issues.

In order to avoid overdevelopment of the site, permitted development rights relating to extensions, roof alterations and incidental buildings have been removed.

The original proposal incorporated a one and a half storey, 3no. bedroom property with dormer windows positioned on the front and rear elevation. Two parking spaces were positioned to the front of the dwelling with a smaller rear garden. The revised proposal shows the dwelling reduced in height by 300mm.

The proposal now includes a single storey, gable ended dwelling orientated north and south and measuring 6.4m in width and 10.1m in depth. The dwelling would be constructed from red facing brickwork with upvc windows and doors. The property's front door would be located on the east elevation with a second set of doors and a window serving the kitchen, dining and living area on the north elevation. The front elevation (south) would incorporate two windows serving the bedrooms. A single window would be positioned on the west elevation serving the kitchen.

It is considered that the fenestration layout, materials and scale of the dwelling is acceptable. The dwelling would be positioned centrally within the plot and therefore, slightly further forward than the neighbouring properties, however, this allows for a sufficient amount of amenity space to be provided along with parking to the front. The site also allows for access to the rear down both sides of the dwelling. The dwelling would be in scale with the size of the plot and there would be an appropriate level of amenity space for future occupiers. Kenwood Road provides a range of property types including small bungalows to large two storey detached properties. The surrounding plots also vary in size however, all properties are host to modest front gardens with parking spaces to the front of the property and all front on to Kenwood Road. The plot is therefore not "backyard development" as the Parish Council asserts. The surrounding plots also vary in size however, all properties are host to modest front gardens with parking spaces to the front of the property. Therefore, the development is considered to meet the requirements regarding new dwellings set out within Neighbourhood Plan Policy: 1 (Small scale (windfall and infill) development). Policy 2 of this plans sets out the requirement and need for two- and three-bedroom houses with the village. This modest development provides a suitable addition to this needed level of housing for Heacham.

Planning permission has already been granted twice before on the site for similar developments (single storey dwelling). Although, these permissions have now expired and were not implemented, the permissions evidence that a dwelling of this size, on this plot is acceptable. No objections were received from the Parish Council of the 2013 application however, concerns were raised regarding overdevelopment on the 2015 application.

The proposed dwelling would be in keeping with the existing street scene and would resemble neighbouring properties that adjoin the site. The materials proposed are appropriate for the location and are considered to be acceptable. However, the site is currently host to some vegetation and trees which will be removed as a result of the proposed development. Whilst the loss of trees is regrettable, the site is not located within a conservation area and as confirmed by the Arboricultural Officer, the trees are not considered to be worthy of a Tree Preservation Order to prevent their removal. A condition will be attached to the decision which requires all hard and soft landscaping and replacement tree planting details to be submitted for approval prior the first occupation of the dwelling. This will ensure that a sufficient amount of replanting is proposed and secured. A condition will be attached to the decision which requires all hard and soft landscaping and replacement tree planting details to be submitted for approval prior the first occupation of the dwelling. This will ensure that a sufficient amount of replanting is proposed and secured.

The proposal as a result complies with polices CS06, CS08 and CS09 of the Core Strategy 2011, DM15 and DM17 of the Site Allocations and Development Management Policies Plan 2016, Policies 1,2,5 and 6 of the Heacham Neighbourhood Plan as well as the National Design Guide.

Impact on Amenity

The application site is surrounded by residential properties with Kenwood Road positioned to the south of the plot.

Whilst the bungalow would be modest in scale and would resemble the form of neighbouring properties, it would be positioned close to the western boundary with a separation distance of 0.9m. Given the orientation of the site, 4no. Kenwood Road located to the west may experience some loss of light for a couple of hours during the morning. The neighbouring property is host to windows on the side elevation nearest the proposed dwelling however, site does allow for a sufficient separation distance of 2.5m. Given that the proposed dwellings would be single storey, it would not be detrimental to the amenity of the neighbouring property.

Details of boundary treatments would be conditioned to ensure that the site is sufficiently enclosed to protect the privacy of neighbouring properties as well as the occupants of the proposed dwelling. Boundary treatments would screen the windows and doors positioned on the north elevation, although given that the property is of single storey, it is not considered that the fenestration would create any overlooking.

The window positioned of the east elevation would face onto the neighbouring driveway and pathway leading to their rear garden. The window would serve the bathroom and would therefore, incorporate obscure glazing and will create any overlooking. A condition will be added to secure obscure glazing.

The windows positioned on the south elevation would serve bedrooms and would be set back from the road with no properties directly facing the elevation.

The western elevation incorporates 1no. window serving the kitchen. This window would be screened by boundary treatments. The neighbouring property to the west is also host to an

outbuilding which would screen the window however, it is appreciated that the outbuilding could be removed by the neighbour and therefore, sufficient boundary screening would be condition to prevent loss of privacy.

In conclusion, whilst the dwelling may result in slight loss of light to the neighbouring property to the west during the early morning, this would only be for a couple of hours. Boundary treatments would be conditioned to prevent overlooking from the window on the west elevation, therefore, the development is not considered to have a detrimental impact on residential amenity.

The proposal therefore complies with Policy DM15 and CS08 of the Development Plan.

Highway Safety and Parking

The site would be accessed via Kenwood Road which is an unadopted road. Some objections have mentioned the current state of repair of Kenwood Road, stating that there are numerous potholes which have caused damage to residents' vehicles. Objectors have also mentioned that some residents park on the road making it difficult for occupants to get to their properties.

As the road is unadopted, the Country Council has no control over its maintenance and the road itself does not form part of the application site, therefore, its condition is not a material consideration.

The addition of the proposed dwelling is not considered to impact the road further given that it is a modest, two bedroom bungalow and has previously benefitted from two planning permissions.

The amended plans received evidence that 2no. off road, parking spaces can be provided in accordance with the Parking Standards for Norfolk 2022 and the Heacham Neighbourhood Plan Policy 6 (Residential Car Parking). However, it is appreciated that the proposed parking layout appears slightly tight, although the parking spaces are of a sufficient size.

The Local Highway Authority stated that the current parking layout appeared slightly tight but as the road is unadopted had no formal objection.

Overall, the site does provide a sufficient amount of spaces of an acceptable size and therefore, complies with Policy DM17 of the SADAMP and Heacham Neighbourhood Plan Policy 6 (Residential Car Parking).

Other Material Considerations

Drawings

The issues relating to drawing inconsistencies have been addressed through the submission of amended plans (received 06.09.2022) which now show the surrounding neighbouring properties and parking space.

Land Ownership

Land ownership disputes are a civil matter and are not considered to be a material planning consideration. The agent has confirmed that the land shown in red and blue is within the applicant's ownership and the correct certificate has been served.

Drainage

The application states that disposal of foul sewage is unknown however, a condition will be added requesting details of this prior to the commencement of works. Surface water will be disposed of via soakaways.

CONCLUSION

The proposed development is considered to be of an acceptable scale, design and form which respects the character and appearance of the surrounding area. The dwelling will not have a detrimental impact on residential amenity and is not considered to be back land development, and therefore, complies with complies with the overarching aims of the NPPF and Development Plan Policies CS1, CS2, CS08, DM1, DM2 and DM15. The proposal also complies with policies 3,4,5 and 6 of the Heacham Neighbourhood Plan.

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 92 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 using only the following approved plans:

20248 02 E PROPOSED PLANS, ELEVATIONS, SECTION & SITE Received 06.09.2022
20248 03 PROPOSED SITE PLAN Received 06.09.2022
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Notwithstanding the details shown on the approved plan, prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The plan should detail the provision of a front (south) boundary hedge. The boundary treatment shall be completed before the first occupation of the dwelling. The development shall be carried out in accordance with the approved details.
- 3 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF
- 4 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. 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.

- 4 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 5 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 5 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 6 Condition Before the first occupation of the building hereby permitted the window on the east elevation serving the bathroom as shown on drg no.20248 02 E (received 06.09.2022) shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 6 Reason To protect the residential amenities of the occupiers of nearby property.
- 7 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, AA, B, C and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, enlargement of a dwellinghouse by construction of additional storeys, the enlargement of a dwelling house consisting of an addition or alteration to its roof, alterations to the roof or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 7 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the above mentioned Order.
- 8 Condition The dwelling hereby approved shall be occupied only as the primary (principal) residence of those persons entitled to occupy it. The occupiers of the dwelling shall be required to provide evidence that they are meeting the requirements of the condition, and shall make this information available at all reasonable times to the Local Planning Authority.
- 8 Reason In order that the development permitted is in accordance with Policy 5 of the Heacham Neighbourhood Plan.