

## AGENDA ITEM NO.8/2(f)

<b>Parish:</b>	<b>Watlington</b>	
<b>Proposal:</b>	<b>RESERVED MATTERS: Approval for all reserved matters, construction of new dwelling</b>	
<b>Location:</b>	<b>10 Fairfield Lane, Watlington, King's Lynn, Norfolk, PE33 0JE</b>	
<b>Applicant:</b>	<b>Client of Holt Architectural Ltd .</b>	
<b>Case No:</b>	<b>22/01577/RM (Reserved Matters Application)</b>	
<b>Case Officer:</b>	<b>Helena Su</b>	<b>Date for Determination: 1 December 2022 Extension of Time Expiry Date: 9 December 2022</b>

### **Reason for Referral to Planning Committee –**

Officer recommendation contrary to Parish Council response and Planning Sifting Panel referred application to Planning Committee.

**Neighbourhood Plan:** No

### **Case Summary**

The application is for reserved matters for a two-storey dwelling following the grant of outline permission 22/00442/O.

The application site is located to the north of No 10, along the west side of Fairfield Lane, Watlington, which is a Public Footpath.

### **Key Issues**

Principle of Development  
Design  
Impact on Neighbours  
Highway and Public Rights of Way  
Other Material Considerations

**Recommendation: APPROVE**

## **THE APPLICATION**

Outline planning permission was granted in May 2022 for the construction of one dwellinghouse. This application seeks approval of the reserved matters.

The site served as residential garden to No 10 (to the south) but has been divided by an approx. 1.4m closed boarded fence along the south boundary. The north and east boundary is defined by an approx. 1.8m closed boarded fence.

Planning Committee  
05<sup>th</sup> December 2022

The proposed dwelling is a two-storey dwelling with a projecting gable in the centre of the front elevation and overhanging first-floor and covered carport to the south of the dwelling. The dwelling would be finished in a mix of render, brick and vertical cedar cladding, which is consistent with materials along Fairfield Lane.

At the time of the site visit, planting on the site had been mostly cleared. The application site is located along the west side of Fairfield Lane, which is a Public Footpath and not maintained by Norfolk County Council.

**SUPPORTING CASE** None received to date.

## **PLANNING HISTORY**

22/00442/O: Application Permitted: 26/05/22 - OUTLINE APPLICATION WITH ALL MATTER RESERVED: New dwelling between 4 & 10 Fairfield Lane (Delegated)

21/01741/RM: Application Withdrawn: 11/03/22 - RESERVED MATTERS APPLICATION: Construction of dwelling

18/01922/O: Application Permitted: 20/12/18 - Outline Application: New dwelling (Delegated)

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTS**

Access to the site will be via the Public Right of Way, Watlington Footpath 3, which has no public vehicular access and is not to a vehicular standard. The potholes in Fairfield Lane have only recently been filled and heavy machinery will cause the surface to churn up or sink.

Works vehicles and delivery vehicles would block the access road entirely during construction and building works. Larger vehicles for brick deliveries and roof trusses will not only struggle to manoeuvre and turn in Fairfield Lane, but will create problems and a danger to road users on such a tight corner on Station Road.

In regard to design, the roof should be hipped, as this reduces the mass appearance of the building.

**Local Highways Authority: NO OBJECTION** subject to condition regarding the proposed access, parking and passing area being constructed in accordance with the approved plan.

### **Public Rights of Way: NO OBJECTION on the following grounds:**

We would highlight that access to the site will be via the Public Right of Way known as Watlington footpath 3 which does not offer any means of public vehicular access and it is not maintainable at the public expense to a vehicular standard. The applicant will need to ensure that they have an established private right of access to the land suitable for residential purposes. It would be expected that any damage caused to the footpath by the exercise of the private rights remains with the rights holders to repair.

The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

**Internal Drainage Board: NO OBJECTION** subject to compliance with the Board's Byelaws.

**Environmental Quality: NO OBJECTION** regarding contaminated land

**Natural England: No Comment** refers LPA to Standing Advice.

## **REPRESENTATIONS**

**THREE** comments of **OBJECTION** regarding the following:

- Concerns with condition of Fairfield Lane, which will be worsened by the use of the track to complete the development.
- Blocking of public footpath.
- Outlook - never had a property to look at.
- Shadowing - lose a large amount of light to neighbouring gardens.
- Loss of privacy and overlooking.
- Access from Fairfield Lane to Station Road.
- Concern that widening the access will impede existing parking by other occupants along Fairfield Lane.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**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 Design Guide 2019

## **PLANNING CONSIDERATIONS**

The key issues are:

- Principle of Development
- Design

- Impact on Neighbours
- Highway and Public Rights of Way
- Other Material Considerations

## **Principle of Development**

The site is located in Watlington, a Key Rural Service Centre under the settlement hierarchy of Policy CS02 of the Core Strategy. The site is located within the development boundary and the principle of the development has been established under the Outline permission (22/00442/O).

## **Design**

Fairfield Lane comprises linear residential development along the west and planting to the east. The Lane contains a mix of semi-detached and detached dwellings within comfortable plots, finished in a mix of red facing brick and render, bound by a strict building line. The dwellings are somewhat modern and have been extended to the side by single storey and two-storey extensions.

The proposed dwelling is a two-storey dwelling with a projecting gable in the centre of the front elevation and overhanging first-floor and covered carport to the south of the dwelling. The dwelling would be 8.6m wide, 5.8m deep, with a 0.6m front projecting gable, and 7.1m tall, sited within the established building line along Fairfield Lane, enabling sufficient rear and front garden. The proposed dwelling is of modern appearance, being finished in red facing brick (plinth and pillar), render, and vertical cedar cladding, which is consistent with the mix of materials along Fairfield Lane. Furthermore, consideration has been given to window positions to the dwelling, which are predominantly focussed to the front elevation, and gable roof design, which is consistent with the surrounding dwellings.

The Parish Council commented that the roof should be hipped to reduce the mass appearance of the dwelling. However, considering the characteristics of the surrounding dwellings, a hipped roof would appear out of character. A gable roof would be more appropriate in this setting. Additionally, considering the space between the neighbouring dwellings, the scale and mass of the proposed dwelling is not considered to be at odds with the locality.

Regarding design, appearance, and impact on visual amenity the proposed dwelling complies with policy CS08 of the Core Strategy and policy DM15 of the SADMPP.

## **Impact on Neighbours**

The site is adjoined by neighbours to the north, south, and west. The proposed dwelling would be sited approx. 11m south of No 4 (at its closest point), 2.2m to the north of No 10 (at its closest point), and between 15m - 20.7m east of No. 8, 10 and 12 Martin Close (at its closet point). Considering the distances, orientation, and siting of the proposed dwelling, the shadowing impact will be limited on the neighbours' gardens throughout the day and would ultimately not impact on neighbour amenity.

There are third party comments regarding outlook and impact on views. No 4 (to the north) has a ground-floor sunroom on the south elevation and no first-floor windows. No 8, 10, and 12 Martin Close (to the west) have ground-floor dining and kitchen windows and first-floor bedroom windows on their rear elevation. Additionally, No. 10 Martin Close (to the west) has a rear conservatory. Lastly, No 10 (to the south) has a ground-floor north side conservatory/porch and first-floor hallway window on their north elevation. The proposed dwelling will be built directly adjacent to No 10 (to the south) and 4 (to the north) Fairfield

Lane. Again, considering the distance and as neighbouring windows serving habitable rooms are sufficiently distanced, the proposed dwelling would not be overbearing and harm outlook. Impact on views is not a material planning consideration.

The application site would be defined by a 1.8m closed boarded fence along the north, west, and south boundary. Therefore, views from the ground floor windows would be well-screened. Furthermore, there are two first floor windows on the rear elevation serving the bathroom and hallway. The bathroom window would be obscure glazed and the hallway window would be high level, so would not result in an overlooking impact to surrounding neighbours. Lastly, the first-floor windows on the front elevation face Fairfield Lane and the public domain and would not therefore impact on neighbour amenity.

Overall, the dwelling would have limited impact on the neighbour amenity and therefore the proposed dwelling would comply with policy CS08 of the Core Strategy and policy DM15 of the SADMPP.

### **Highway and Public Rights of Way**

The Parish Council and third-party comments raised concerns regarding the access, traffic during the construction period, and Watlington Footpath 3, the public right of way (PROW) on Fairfield Lane.

The access of Fairfield Lane from Station Road has been considered and dealt with at Outline stage, with a condition related to the access included on decision notice. Moreover, the applicant has made an application to Norfolk County Highway Authority to widen the access as per the Highway Authority's recommendation. Therefore, it is considered concerns with the access of Fairfield Lane from Station Road is addressed. Furthermore, the Local Highway Authority raised no objections to the access onto Fairfield Lane and recommended a condition relating to the access and driveway on the application site.

The Parish Council expressed concerns that the private access be impeded by construction traffic. Fairfield Lane is a private track. Any construction vehicles which may impede the track would be a civil matter, it would not raise any significant highway safety concerns. In addition, as the proposal is for one dwelling, it is considered that the construction period would not be long enough to result in such a disturbance to warrant a construction management plan.

Lastly, although Fairfield Lane is a Public Footpath, PROW did not raise any objections to the scheme on Watlington Footpath 3 subject to their comment which will be attached as an informative on the decision notice.

### **Other Material Considerations**

A comment made by a third party raised concerns regarding existing parking arrangements following the widening of the access onto Fairfield Lane from Station Road. This matter is a civil matter which is outside the remit of Planning and not material to this planning application.

No Objections were raised by the Internal Drainage Board, Environmental Quality, and Natural England.

### **CONCLUSION**

The principle of development for one new dwelling on this site has already been established by an Outline application, approved earlier this year.

The proposed two-storey dwelling is consistent with the existing form and character of dwellings along Fairfield Lane and within the wider setting. Although the Parish Council recommended that the roof should be hipped to reduce the mass of built form on the site, a hipped roof would be contrary to the prevailing character of the area. Furthermore, the proposed dwelling would result in limited impact on the surrounding neighbours.

On the basis of the above, the proposed dwelling is considered acceptable accords with the provisions of the NPPF, and the adopted Local Plan policies CS01, CS02, CS08 of the Core Strategy (2011) and DM2 and DM15 of the SADMPP (2016).

## **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 using only the following approved plan:  
\*Dwg no. HAL22-RC-100 Rev A.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / passing area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 4 Condition: Notwithstanding the provisions 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), no new windows/dormer windows (other than those expressly authorised by this permission) on the rear (west) elevation, shall be allowed without the granting of specific planning permission.
- 4 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 mentioned Order.
- 5 Condition: Before the first occupation of the building hereby permitted the first-floor bathroom windows on the west elevation 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.
- 5 Reason: To protect the residential amenities of the occupiers of nearby property.