

Parish:	Sedgeford	
Proposal:	Erection of Detached Cottage, following Demolition of Existing Garage	
Location:	School House Ringstead Road Sedgeford Hunstanton PE36 5NQ	
Applicant:	Mr Andrew & Martin Johnson	
Case No:	22/01329/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 21 October 2022 Extension of Time Expiry Date: 5 April 2023

Reason for Referral to Planning Committee – Called in by Councillor Parish

Neighbourhood Plan: Yes

Case Summary

The application site is located within Sedgeford which is classified as a Rural Village within Policy CS02 of the Core Strategy 2011. The plot is positioned within the defined settlement boundary for the village which contains a mixture of traditional development built of carrstone, red brick and clunch materials, and modern development which generally takes a linear form along the B1454. The village has an enclosed character which results from its sheltered setting in the vale of the Heacham River.

The site comprises amenity land and a garage building positioned to the south of the host dwelling (School House). The plot is located within the Sedgeford Conservation Area and Area of Outstanding Natural Beauty and fronts Ringstead Road.

The proposal seeks permission for the erection of a two storey, three bedroom, detached cottage, following the demolition of the existing garage.

Amended plans have been provided showing a new footpath positioned to the east of the site. The path would lead from the amenity land serving School House, down to the parking area at the south of the site. The path would be screened by 1.8m high close boarded fencing.

Key Issues

- Principle of Development
- Form and Character and Impact on the Conservation Area
- Impact on Neighbour Amenity
- Highway Safety and Parking
- Other Material Considerations

Recommendation:

REFUSE

THE APPLICATION

The application site is located within the Sedgeford settlement boundary and fronts Ringstead Road. The site comprises amenity space and a garage serving the host dwelling positioned to the north. The plot is within the Sedgeford Conservation Area and a the Area of Outstanding Natural Beauty.

Permission is sought for a two storey dwelling following the demolition of the existing garage. The proposed dwelling would measure 7.9m in height, 9.6m in width and 8m in depth and would be constructed from Norfolk red brick with rubble flint, chalk or coursed carrstone with timber windows.

A total of 4no. parking spaces would be provided and positioned to the south east of the site for the host dwelling and occupiers of the new dwelling.

The existing boundary wall to the west of the site would be demolished and rebuilt in order to achieve adequate visibility for the parking area.

PLANNING HISTORY

2/94/1573/CU - Permitted - Continued use of mixed residential and commercial garage/workshop

RESPONSE TO CONSULTATION

Parish Council: OBJECT on the following grounds:

One is that the proposed residence is rather larger than might be implied by the word 'cottage'. Sedgeford Neighbourhood Plan identified a need for smaller homes which could include a three-bedroom cottage – Policy H4 of the Sedgeford Neighbourhood Plan.

The Neighbourhood Plan also contains the condition that new housing will be occupied only as the primary (principal) residence – H7 Pre-application advice was that further consideration needed to be given to the design and scale of the dwelling. The Parish Council agrees.

The second is that the size of the new dwelling and its location within the garden of School House will limit options for future development on the site of the former school. Since the closure of the school, Norfolk County Council (NCC) has been following due procedures and is currently in consultation with Repton Property Development regarding the future of the school site.

There are three windows in the existing school which directly overlook School House garden. The height of the new house would severely block both light and any view from these windows. The existing full height school windows would look directly onto the side of the new dwelling.

The 1.8m fence proposed for all boundary areas would further restrict views. 22/01329/F Whilst this application is a separate matter to the NCC consultation, due to the close proximity and adjoining nature of the buildings it should be considered in the broader context of future development of the school site as a whole.

Another concern relates to parking and access for both dwellings. While the plans include parking provision on the site of the former garage, it does not seem practical that future occupants would have to walk up the public footpath and in a side gate from their vehicles.

On street parking adjacent to School House is potentially hazardous due partly to the raised curb. It seems likely that residents and especially visitors would choose to park on the road close to the front entrances rather than in the designated parking spaces further away

– C3 Seen from the opposite side of Ringstead Road this would be an imposingly tall building in the street scene, as the top of its roof is on the same level as the gable window of School House, even though the proposed property is further down the hill

– H3 Regarding materials, should this application be agreed, these should be consistent with those already used in the School House and external boundary wall, which must be retained as recommended by the Conservation Officer. – H3

Highway Authority:

NO OBJECTION: subject to conditions relating to the widening of the existing access, surface water drainage and the removal of permitted development rights for means of obstruction to the sites entrance.

Arboricultural Officer:

NO OBJECTION: subject to a condition securing that development is in accordance with the Arboricultural report and plans authored by Heritage Tree Specialists Ltd.

Conservation Officer:

NO OBJECTION: subject to a condition securing the reuse of the original materials and building style for the new boundary wall.

REPRESENTATIONS

No representations received

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 H3: Infill development within the Development Boundary

Policy H4: Development outside the development boundary

Policy H8: New Housing as Permanent Dwellings

Policy H7: Residential Extensions

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

Principle of Development

Form and Character and Impact on the Conservation Area

Impact on Neighbour Amenity

Highway Safety and Parking

Other Material Considerations

Principal of Development:

Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016 states 'Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.'

The application site is located within the Sedgeford settlement boundary and therefore, the principal of development is considered acceptable subject to compliance with other policies.

Policy DM15 of the SADMPP 2016 confirms that development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupants of the proposed development. Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Policy CS06 of the Core Strategy confirms that development within rural area should maintain local character and a high-quality environment and promote sustainable patterns.

Policy CS08 of the Core Strategy states that all new development in the borough should be of high quality and sustainable design.

Policy H3 of the Sedgeford Neighbourhood Plan states that infill development within the development boundary will be supported where they would relate well to the neighbouring development in terms of height, scale and impact on the street scene, and, where applicable, would preserve or enhance the character or appearance of the Conservation Area.

Developments must not have an unacceptable detrimental impact on the living conditions of the occupants or neighbouring properties, and the provision of a vehicular access would not have an unacceptable detrimental impact on to highway safety and on-site parking can be provided in accordance with NCC standards.

Dwellings should maintain adequate spacing and not appear cramped on the plot or in relation to neighbouring dwellings and their footprint should not normally exceed 40% of the plot area.

Policy H4 of the Sedgeford Neighbourhood Plan states the following:

To ensure that priority in the allocation of dwellings on rural exception sites which deliver affordable housing will be given to people who can demonstrate a local connection planning permissions for rural exception sites will be subject to a planning obligation will require that dwellings are allocated in accordance with the following priorities:

- 1) Existing residents of Sedgeford who have lived in the village for more than 12 months.
- 2) Past residents of Sedgeford who have lived in the village for a minimum period of 5 years and who moved away within the last 3 years because no suitable accommodation was available;
- 3) People who need to live in Sedgeford because of their permanent employment or offer of permanent employment;
- 4) People who are not resident in Sedgeford who need to live near family members resident in the village;
- 5) Existing residents of the neighbouring villages of Fring, Snettisham, Heacham, Ringstead, and Docking;
- 6) Existing residents of the Borough of King's Lynn and West Norfolk who have lived in the Borough for a period of 5 years or more.

Policy H8 of the Sedgeford Neighbourhood Plan states that new open market housing, excluding replacement dwellings, will only be supported where there is a restriction to ensure its occupancy as a Principal Residence. Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.

Form and Character and Impact on the Conservation Area:

In this case, planning permission is sought for a two-storey dwelling following the demolition of an existing garage. The proposed dwelling would be positioned on a parcel of land used as amenity space and parking space to the south of the donor dwelling (School House).

The dwelling would provide 3 no. bedrooms and would measure 7.9m in height, 9.6m in width and 8m in depth. The property would be constructed from red brick with flint, chalk or carrstone and timber windows and doors.

A total of 4 no. parking spaces would be positioned to the southeast of the site serving both the occupiers of the host dwelling and the proposed property.

A new footpath is proposed to the east of the side of the site leading down from School House's garden to the parking area (south). The footpath would be screened by 1.8m close boarded fencing.

The existing brick and carrstone boundary wall would need to be demolished and rebuilt to allow for adequate visibility to be achieved for the new access. The wall would be reconstructed using existing materials and similar techniques to the existing wall.

Whilst the existing hedging to the west of the site would be removed as a result of the development, the proposed dwelling is not considered to have a detrimental impact on the character or appearance of the conservation area, given the design and proposed materials.

Whilst the proposed development is not considered to have an impact on the conservation area, paragraph 130 of the NPPF states that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and should be sympathetic to the local character and history, including the surrounding built environment and landscape setting. Developments should also 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, whilst optimising the potential of the site.

The dwelling is considered to be of an acceptable design and incorporates materials which appear in keeping with the surrounding properties, however, policy H3 of the Sedgford Neighbourhood Plan states that dwellings should maintain adequate spacing and not appear cramped on the plot or in relation to neighbouring dwellings and their footprint should not normally exceed 40% of the plot area. Whilst the proposed dwelling would not exceed 40% of the plot area, given its positioning and the parking layout, the site would appear cramped and contrived.

The proposed dwelling would front Ringstead Road however, given its positioning, the dwellings main amenity space would be positioned to the north and east of the site. The addition of a new path (to the east) would reduce the amount of amenity space available to the new dwelling.

The host dwelling would be left with a small amount of amenity space with timber close boarded fencing separating the plots, creating a dominant feature in a small, enclosed garden area.

Policy DM15 states that the scale, height, layout and design of developments should respond sensitively and sympathetically to the local setting and pattern of adjacent streets. The proposed dwelling would appear overbearing to the donor property and the development would not allow for a sufficient amount of amenity space to be retained for School House.

Overall, the proposed development would create a cramped plot without sufficient spacing from the donor dwelling. The proposed dwelling would appear overbearing and dominant whilst leaving School House with an inadequate amount of amenity space. Therefore, the proposal does not comply with policy DM15 of the SADMPP 2016 or Policy H3 of the Sedgford Neighbourhood Plan.

Impact on Neighbour Amenity:

The application site is located on Ringstead Road at the bottom of a hill leading towards the north. Therefore, the donor dwelling (School House) is positioned at a higher level than the proposed dwelling. Given the difference in levels, the host dwelling would overlook the plot resulting in the loss of privacy for occupiers of the new dwelling.

Even with the addition of a boundary fence, School House would still have views into the amenity space of the proposed plot given the suggested location of the fence at the bottom of the steps to School House and given the small amount of garden land retained for the dwelling, the new two storey property would appear overbearing and dominant leaving School House with an outlook onto a stark, two storey side elevation.

Whilst the north elevation has been designed with no windows to reduce potential overlooking, this has resulted in a plain elevation positioned close to the neighbouring property.

Given the orientation of the plot, School House is likely to experience overshadowing during the afternoon/evening due to the scale of the proposed dwelling. The proposed property would also experience some loss of light during the afternoon as a result of the existing trees and hedging to the front of the site.

Overall, the creation of a new two storey dwelling in this location would significantly reduce the donor dwellings amenity space, resulting in a cramped and contrived space. Given the level differences of the sites, the amenity space of the proposed dwelling would be significantly overlooked and therefore, the proposed development does not comply with policy DM15.

Highway Safety and Parking:

The Highway Authority has confirmed that the removal of the brick and carrstone wall to the west of the site is essential to enable the development.

Currently the host dwelling (School House) is host to a garage and parking area positioned to the southeast of the site which is accessed via Ringstead Road. Occupants can access the parking area via an existing path from the dwelling, through the garden which leads directly to the parking spaces. Alternatively, occupiers can exit the dwelling and walk to the parking area via the public footpath positioned to the west of the site.

The development proposes the creation of a new footpath positioned to the east of the site leading down to the new parking area (south). The foot path would be screened 1.8m close boarded fencing on the eastern boundary.

The proposed path was added as an amendment to the original proposal in an attempt to overcome concerns regarding the impracticality of the site and its relationship with the parking area. Whilst the proposed path does provide an additional route to the parking area, it does not overcome the fact that the creation of a new dwelling in this location would result in the occupants of School House needing to leave their property and use the new footpath every time they needed to access the parking spaces. Whilst it is appreciated that occupiers of School House already have the option to use the existing public footpath located to the west of the site to access their parking, the creation of another footpath to try and overcome concerns of practicality, is evidence that the site cannot comfortably or realistically accommodate an additional dwelling.

As a result of the existing internal path being removed and even with the proposed new footpath, it is likely that occupants would park on the road (as there are no parking restrictions) making it more convenient for users, providing a much closer parking space to School House. Again, whilst it is noted that the existing yellow restriction lines painted on Ringstead Road are no longer in use due to the closure of the school, the road is not considered wide enough to accommodate two-way traffic and on street parking. Therefore, the proposed development is considered to worsen an existing situation which evidences that the site is not capable of providing a dwelling in this location. The proposal is not considered to enhance the amenity of the wider environment, is not of a high-quality design and does not comply with policies CS08 and DM15 of the SADMPP.

Other Material Considerations:

Trees:

The proposed development requires the removal of 2 Groups of Trees (Hedges G1 and G2) which are both Category C groups and consist of Holly/Hawthorn and Lawson Cypress . The proposed development also requires the removal of T1 (Lawson Cypress), T2 (Plum) and T12 (Sycamore). These are also Category C trees and form a single group dividing the proposed garden from the parking area.

All other trees are situated on neighbouring land and their impact on this site is limited. It is proposed to remove any deadwood from the crown of retained trees (T3, T4, T5, T6, T7, T8, T9, T10 and T11) in order to maintain a healthy crown and improve appearance.

The Tree Report submitted with the application confirms that sufficient tree protection measures would be put in place if approval was given.

The Arboricultural Officer has confirmed no objections to the proposed removal of trees mentioned above. There are no objections to the proposed removal of trees mentioned above.

Contamination:

The application site was granted planning permission under application 2/94/1573/CU for a mixed residential and commercial garage workshop. The applicant has confirmed that the commercial garage/workshop operated until 2002/2003 and comprised of small local jobs, pre-assessment for MOT of cars and work to domestic appliances, such as washing machines. No general car repairs or mechanical works were undertaken and no oil/fuel/batteries etc were stored on the land.

The Environmental Quality team has reviewed this information and confirmed that the information submitted does not indicate the presence of significant land contamination. However, the former use as a garage and workshop means that it is possible that some unexpected contamination could be present. Therefore, a condition is required if permission is granted, requiring applicants to record any contamination and inform the Local Planning Authority.

Conclusion:

Overall, the proposed dwelling is considered to be of an acceptable design and is located within the Sedgford settlement boundary where residential development is considered acceptable in principle. However, the application site is not considered capable of accommodating an additional dwelling without appearing cramped and contrived. The proposed development would have a detrimental impact on the residential amenity to both the occupiers of the host property and the users of the new dwelling.

Attempts to overcome concerns regarding access to the parking spaces have been acknowledged, however, even with the creation of an additional footpath to the east of the site, it is still considered that the relationship and layout between the host dwelling and parking area would be worsened as a result of the proposed development.

Therefore, the proposed development is considered to be contrary to policy DM15 of the SADMPP 2016, CS06 and CS08 of the Core Strategy and policy H3 Sedgford Neighbourhood Plan.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 By reason of the difference in levels on the application plot and the donor site, the proposed dwelling would suffer from an unacceptable level of overlooking and loss of

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privacy. The proposed development would also have an overbearing and dominating impact on the host dwelling given its proximity and small separation distance. Therefore, the proposal would have a significant adverse impact on the amenity of others and does not comply with policy DM15 of the SADMPP or policies CS06 and CS08 of the Core Strategy or policy H3 Sedgeford Neighbourhood Plan.

- 2 The proposed development appears cramped and contrived within its plot and would result in an unacceptable loss of amenity space for the donor dwelling. The proposal also requires the loss of the internal footpath resulting in an impractical site layout and relationship which could consequently lead to undesirable on street parking, therefore, the proposal does not provide a high-quality environment. The proposal does not comply with paragraph 130 of the NPPF, policy DM15 of the SADMPP or policies CS06 and CS08 of the Core Strategy or policy H3 Sedgeford Neighbourhood Plan.