

<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Outline application for up to 2 no new dwellings</b>	
<b>Location:</b>	<b>56 Wootton Road Gaywood King's Lynn Norfolk PE30 4EX</b>	
<b>Applicant:</b>	<b>Mr D Ward</b>	
<b>Case No:</b>	<b>24/00301/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Jonathan Doe</b>	<b>Date for Determination: 15 April 2024</b>

**Reason for Referral to Planning Committee** – Notice served on a member of staff.

**Neighbourhood Plan:** No

**Case Summary**

The application site is located at Gaywood, within the defined settlement boundary of King’s Lynn and West Lynn, a sub-regional centre as defined by Policy CS02 of the Core Strategy 2011. Gaywood functions as a neighbourhood centre within King’s Lynn. It provides a significant range of services including retail. The area is characterised by a mixture of a two-storey detached dwellings and terrace properties constructed from mainly red brick with some examples of cladding and render.

The site consists of former rear gardens 52, 54 and 56 Wootton Road. The plot is positioned to the rear (east) of these dwellings.

The proposal seeks outline planning permission, with all matters reserved, for up to two dwellings.

Parking would be provided for 52, 54 and 56 Wootton Road as part of the red line site.

**Key Issues**

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

**Recommendation**

**REFUSE**

## **THE APPLICATION**

The application site is on the eastern side of Wootton Road, to the north of the Gaywood District Centre. The site is outside the Gaywood Clock area.

Outline planning permission with all matters reserved is sought for up to two dwellings. An indicative block plan has been provided but no detail of the design has been provided.

The proposed development would use an existing access to Wootton Road. The indicative plan shows five parking spaces, 2 spaces for the proposed dwellings and a space each, 3 spaces, for the existing houses at 52, 54 and 56 Wootton Road.

The application is similar to one previously refused, 23/01598/O. The previous application indicated 7 parking spaces whereas the current application indicates 5. However, this change has enabled the host dwellings to be provided with some private amenity space, rear garden, whereas previously the host properties had only nominal spaces in the form of yards.

## **SUPPORTING CASE**

The documentation submitted includes a statement in support of the application referring to the principle of residential development being in accordance with strategic policy. The statement also refers as follows.

This is a highly sustainable location being in easy walking distance of all the facilities that Gaywood has to offer and on a regular bus route connecting to the town centre, railway station and QEH. Cycle links are also good. This is a windfall site which will contribute towards the provision of housing in the borough.

Under permitted development rights the three donor properties could potentially erect outbuildings up to 50% of the garden area and by far in excess of the footprint indicated on the indicative plan (albeit in single storey).

The proposal could be designed as a single or 1.5 storey building consistent with that form and character.

The application is in outline format only seeking to establish the principle of development with all matters (layout, scale, appearance, access and landscaping) reserved for future consideration. However, the required indicative plan shows the existing access to the site being upgraded to 4.5m with a visibility splay introduced to the north across third party land. This would significantly improve highway safety for pedestrians and vehicles exiting the site.

The site is contained by fencing and well-established hedging and trees. These create significant natural screening between existing properties and the site plus adjacent dwellings/gardens. An outbuilding style structure with roof lights serving accommodation in the roof space could negate overlooking issues.

There are no known surface water flooding issues within the site; soakaways are proposed for surface water disposal and foul water to be connected to mains sewerage. There are no significant implications for protected species as peripheral boundary hedges/vegetation could be retained and protected during construction and this is, and will remain as, garden land. The applicant agrees to previously suggested pre-commencement conditions relating to archaeology raised by Historic Environment Services.

This is a highly sustainable location; the proposal is an efficient and effective use of land

## **PLANNING HISTORY**

23/01598/O - Outline permission with all matters reserved for 2 New Dwellings – Refused  
17.11.2023

## **RESPONSE TO CONSULTATION**

### **Highways Authority: NO OBJECTION**

In terms of highway considerations, at this stage, I have no objection to the principle of the development. However, the applicant would need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Visibility splays (2.4m x 43m)
- ii) Access (minimum 4.5m width)
- iii) Parking provision in accordance with adopted standard
- iv) Turning

**Internal Drainage Board: NO OBJECTION** - The site lies outside the Internal Drainage District. No comment to make.

**Historic Environment: NO OBJECTION** - There is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. Conditions suggested.

**REPRESENTATIONS ONE** representation of objection has been received at the time of writing this report. The points of objection are summarised as:

- Would contribute to overwhelming the Victorian drainage infrastructure
- Increase to traffic with attendant risks to road users
- Would not provide opportunities to first-time buyers or social housing
- Represents filling every small space with as many private homes as is financially beneficial to developers

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

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

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

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**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 2021

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

Principle of development  
Form and character  
Impact on neighbour amenity  
Highway safety  
Flood risk  
Any other matters requiring consideration prior to determination of the application

### **Principle of Development:**

The application site is located at Gaywood, within the King's Lynn Development Boundary. 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 current application follows a similar proposal, reference 23/01598/O, which was refused on the grounds of being an unduly cramped form of development that would appear incongruous and would be harmful to the established form and character of the area by virtue of the restricted plot and its relationship with neighbouring dwellings and the wider locality.

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

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.

The principle of development is considered acceptable subject to compliance with other policies in the plan.

### **Form and Character:**

The application site is positioned to the rear no.52, no.54 and no.56 Wootton Road and comprises amenity land serving the properties.

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8<sup>th</sup> April 2024

Wootton Road is characterised by a mixture of property types including two-storey detached and semi-detached dwellings constructed from a variety of materials including red brick, render or cladding. Most properties have narrow gardens which extend to a considerable depth.

Properties within Wootton Road are positioned in a linear form with dwellings fronting the road. Some dwellings have front gardens which also provide off road parking.

The application seeks outline permission with all matters reserved. Matters such as access, appearance, landscaping, layout and scale would have to be fully assessed through a Reserved Matters application should outline planning permission be granted. However, whilst the layout is indicative only at this stage, the plot size in relation to the current dwellings, parking arrangements and the locality can be assessed as an indication of how a development could possibly be accommodated on the site.

Paragraph 131 of the NPPF states that states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The site is currently amenity area albeit with a sizeable part given over to a parking area and an outbuilding. Properties in the area generally have amenity areas provided by narrow but long rear gardens. Whilst the proposed layout is only indicative, the proposed development would leave the occupiers of three properties, nos. 52-56, with private amenity areas of some 25 sq m. The indicative plan shows one proposed dwelling with a private amenity area of some 60 sq m and the other proposed dwelling with a private amenity area of some 100 sq m.

It is considered that the extent of private amenity space indicated to be retained for 52, 54 and 56 Wootton Road would be insufficient. Amenity space can be a difficult term to define but a sense of its meaning can be derived by considering amenity space as space for comfort, convenience or enjoyment or as a social and recreational space. Areas of some 25 sq m would simply be too small to provide sufficient amenity to a standard terrace house. Each amenity space indicated for the host dwellings would be only marginally larger than a single parking space. Whilst the areas proposed would be of a sufficient size to sit out in and perhaps dry washing, no other use would seem practical. The spaces proposed are considered too small for children to play in. Sitting out in the areas proposed would either have to be done with no sense of privacy or would have to be within a relatively confined space with no real outlook.

The siting of two dwellings on the site would also not be in keeping with the existing pattern of built forms of the area, where dwellings are served by lengthy gardens extending to the east. The positioning of two new dwellings in this locality would result in back land development which would be out of keeping with the existing built form of Wootton Road. In terms of townscape, the proposal would not follow the grain of development in the area. Overall, the proposed development appears cramped and contrived and at odds with the built form of the surrounding area. The site is also considered to not be capable of providing a sufficient amount of amenity space for future occupants together with occupants of existing dwellings. As such the proposal does not comply with Policy CS08 of the Core Strategy, Policy DM15 of the SADMPP and or the provisions of the NPPF, especially as set out at paragraph 128 at points d) and e) and at paragraphs 131 and 139.

### **Impact on Neighbour Amenity:**

The full details regarding impact on neighbour amenity would be fully assessed at reserved matters stage. However, whilst indicative at this stage, the plan raises concern regarding an acceptable neighbour relationship.

The plan indicates each one of the two dwellings would have a footprint of some 36 sq m. Although as this is an outline application this is an indicative layout. An annotation to the plan refers to cartshed style dwellings. Eight roof lights are shown on the indicative plan. These features to the submission suggest that accommodation above ground floor, at the least roof level accommodation, would be required to achieve a satisfactory extent of accommodation for the proposed dwellings. However, it is accepted that all matters are reserved within the application and therefore such features are indicative.

It is therefore thought to be a reasonable concern that the proposal would have the ability to overlook the existing properties located to the northwest or southeast. The proposed dwellings could also appear as overbearing built form, especially from the rear garden of 5 Leonard Close and rear gardens of properties to Wootton Road to the south of the site.

With regard to the amenity of future occupiers, the proposed dwellings would look onto a shared parking and turning area, described below, which in terms of noise and other vehicular disturbance and general quality of outlook is considered unsatisfactory.

Insufficient evidence is provided within this submission to mitigate these concerns and it is considered that the development would lead to an unacceptable relationship contrary to Policy DM15 of the SADMPP or Policy CS08 of the Core Strategy.

### **Highway Safety:**

The proposed dwellings would be accessed off Wootton Road utilising the existing access.

The plan provided indicates that the existing access would be widened to 4.5m wide and a shared parking and turning area would be provided for the proposed dwellings and for no.52, no.54 and no.56.

The Highway Authority has confirmed that it has no objection to the principle of development. However, the applicant would need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Visibility splays (2.4m x 43m)
- ii) Access (minimum 4.5m width)
- iii) Parking provision in accordance with adopted standard.
- iv) Turning

The plan submitted shows that one parking space would be provided for each proposed dwelling with one space provided for no.52, no.54 and no.56. Policy DM17 states that one space per new dwelling would be the minimum standard for a one-bedroom unit. Given that all matters, such as design and number of bedrooms to the proposed dwellings, are reserved matters, it cannot be stated with certainty that the proposal is contrary to Policy DM17. However, the limited number of parking spaces to be provided reinforces the overall impression of the proposal as a whole being cramped development to a contrived design insofar as any design is set forward.

**Flood Risk:**

The application site is located within a flood zone 1 meaning that the site has the lowest probability of flooding from rivers and the sea. The proposal is considered acceptable with regard to flood risk and therefore complies with Policy DM21 of the SADMPP.

**Other matters requiring consideration prior to the determination of this application:**

Previous very limited archaeological investigations either side of the proposed development have produced Late Saxon, post—medieval and significantly very rare Middle-Saxon pottery sherds. The presence of Middle Saxon artefacts here is potentially significant and could indicate a rare Middle Saxon settlement site. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

Given that the site is of archaeological interest, if permission were to be granted, conditions would be required ensuring that an archaeological written scheme of investigation is carried out prior to any works commencing along with a site investigation and post investigation being carried out. The proposal in this regard would comply with Policy CS12 of the Core Strategy and the NPPF.

**CONCLUSION:**

The proposal, due to the context of the plot, the restricted size of the site and its relationship with neighbouring dwellings and the wider locality, would result in an unduly cramped form of development that would appear incongruous, be harmful to the established form and character of the area, and provide an unacceptable level of amenity space for occupiers of the host dwellings. It would not be high quality development as required by National Planning Policy Framework. As such the proposal is contrary to Policy CS08 of the Core Strategy and Policy DM15 the Site Allocations and Development Management Policies Plan.

The current scheme has not overcome the previous reason for refusal because its design has changed insufficiently; in the current scheme host dwellings have very slightly more amenity space but at the expense of parking provision.

**RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 The proposed dwelling(s) would result in an unduly cramped form of development that would appear incongruous and would be harmful to the established form and character of the area by virtue of the restricted plot and its relationship with neighbouring dwellings and the wider locality. The development would also provide an unacceptable level of amenity space for occupiers of 52, 54 and 56 Wootton Road and is therefore contrary to Policy CS08 of the Core Strategy, Policy DM15 of the Site Allocations and Development Management and the provisions of the National Planning Policy Framework especially at paragraph 131.