

<b>Parish:</b>	<b>South Wootton</b>	
<b>Proposal:</b>	<b>RESERVED MATTERS APPLICATION FOR : All matters including, access, scale, appearance, landscaping and layout. Not an environmental impact assessment application : Proposed dwelling and associated garage/parking</b>	
<b>Location:</b>	<b>Land Rear of 22 Grimston Road Grimston Road South Wootton Norfolk PE30 3HX</b>	
<b>Applicant:</b>	<b>Mr Robert Patterson</b>	
<b>Case No:</b>	<b>24/00241/RM (Reserved Matters Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 8 April 2024 Extension of Time Expiry Date: 10 June 2024</b>

**Reason for Referral to Planning Committee** – Referred by Sifting Panel

**Neighbourhood Plan:** Yes

**Case Summary**

The application site relates to a parcel of land measuring approximately 1084 square metres situated on the southern side of Grimston Road, South Wootton.

The land was historically garden land to Nos. 22 and 24 Grimston but has now been sub-divided and demarcated with a close boarded timber fence.

Reserved Matters consent is sought for the construction of a 1.5 storey, three-bedroom dwelling and detached garage.

The site lies within the development boundary of South Wootton, which is classified as a ‘settlement adjacent to King’s Lynn’ within the Development Plan settlement hierarchy, where development is supported subject to compliance with relevant planning policies.

**Key Issues**

- Principle of Development
- Design
- Neighbour Amenity
- Highway Safety
- Other Material Considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site relates to a parcel of land measuring approximately 1084 square metres situated on the southern side of Grimston Road, South Wootton.

The land was historically garden land to Nos. 22 and 24 Grimston but has now been subdivided and demarcated with a close boarded timber fence.

The site benefits from outline consent (22/01239/O) which permitted a 1.5 storey dwelling and garage. All matters were reserved.

The current application seeks approval of Reserved Matters for the construction of a 1.5 storey, three-bedroom dwelling and detached garage.

The proposed dwelling would be sited behind the donor plots and it is proposed to utilise the existing access serving No.22 to the western side of the site, creating a shared access.

The proposed dwelling would have a footprint of approx. 179 square metres (58.5 sqm of which is flat roof single storey). It measures approx. 7.4m in overall height and 2.2m to its eaves.

The main bulk of the proposed dwelling has been designed with a pitched roof with clipped gables, containing three pitched dormer windows to the northern (front) roof slope and four small rooflights to the rear roof slope.

The proposed materials include render, brickwork, black slate / concrete roof tiles and black uPVC window frames, doors and rainwater goods.

The site is bounded by a 1.8m close boarded timber fence and hedging. The proposed dwelling would be sited approx. 13m from the southern (rear) boundary, approx. 1.5m from the eastern boundary (shared with the neighbour at No.26), 4.5m from the western boundary and approx. 15.8m from the northern (front) boundary.

The proposed garage would be sited between the front elevation of the new dwelling and the northern boundary, set back from the shared boundary by approx. 1m. It has the same roof design as the proposed dwelling and measures approx. 5.4m to its ridge and 2.3m to its eaves.

## **SUPPORTING CASE**

The Applicant's Agent has submitted the following supporting case: -

### **'BACKGROUND:**

Outline planning permission was granted on this site under reference 22/01239/O which is what this subsequent Reserved Matters application relates to. Condition 5 of the Outline consent clearly specified 'the dwelling hereby permitted shall be limited to 1.5 storeys'.

This Reserved Matters application complies with the parameters of Condition 5 by proposing a 1.5 storey chalet type dwelling. Key characteristics of the dwellings that are the use of clipped gables and a flat roof to reduce the overall height and massing to each side of the dwelling with the consideration of the neighbours in mind.

#### CONSIDERATIONS:

Overlooking has been addressed via the careful positioning of the dwelling and first floor dormers in relation to the carport. Both a site section and concept visual from the first-floor dormer window were produced to clearly demonstrate that there would be no adverse overlooking impacts.

Overshadowing has been addressed via the submission of a shadowing assessment (2461-13) which clearly demonstrates that shadowing is minimal and not of an overbearing nature. It should also be noted that the chimney has since been handed to the West side of the dwelling.

This application has received little resistance from most consultees although the Parish Council have objected based on the grounds that a single storey dwelling would be more appropriate for this site. This goes directly against the Outline planning condition that was specifically imposed on this site. If a 1.5 storey dwelling was permitted at outline stage, then this should still be permitted at Reserved Matters stage and not disregarded.

As previously mentioned, the design is sympathetic to the neighbouring developments by incorporating clipped gables, additional shadowing assessments and overlooking details. It should also be noted that a large portion of the dwelling is single storey flat roof whereas there was potential to propose a dual-gabled pitched roof although the possible detrimental impact on the neighbours were considered at the time.

This Reserved Matters application has not received any public comments therefore implying that there are no local members of the public who object to the application – including neighbours.

#### PLANNING POLICY:

The application site is shown within the Development Boundary. Policy DM2 states that 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.

Policy H2 of the South Wootton Neighbourhood Plan is satisfied via the provision of; a large garden and additional garden area to the frontage, adequate vehicle access/parking visibility, secure boundary treatments (with shingles access to alert residence of potential authorised visitors), soakaway drainage systems which will be engineered to accommodate climate change events, allowance, or security provisions such as alarms, external lighting, and cameras.

Policy H3 is satisfied as the dwelling is going to be of a high-quality design and be designed to the most up to date Building Regulations which creates a much more sustainable home compared to existing developments. The site is also more than large enough to accommodate the proposals and does not create an overly dense development thus not causing harm to surrounding properties.

Policy H4 is satisfied as the materials used are featured within the local vicinity and South Wootton area.

Policy H5 is satisfied via the provision of a three bay carport which is more than large enough to accommodate modern cars and bicycles which can be directly used by the inhabitants of the dwelling.

With all of the above considerations taken into account, we strongly believe that planning permission be granted'.

## PLANNING HISTORY

22/01239/O: Application Permitted: 13/10/22- DELEGATED - Proposed dwelling and associated garage/parking - Land Rear of 22 Grimston Road, Grimston Road, South Wootton

22/00383/O: Application Permitted: 08/06/22 – DELEGATED - Proposed two storey dwelling and associated garage/parking - 24 Grimston Road, South Wootton

## RESPONSE TO CONSULTATION

### Parish Council: OBJECTS

As with previous applications the Parish Council strongly believes that a single storey dwelling is the most appropriate form of development in this location to avoid overlooking and loss of privacy to surrounding properties.

The proposed development would have significant harmful impacts on the amenities of surrounding residential properties and would be an overbearing and unneighbourly form of development. Contrary to the South Wootton Neighbourhood Plan Policy H3 ( c) and H2 ( f).

**Highways Authority: NO OBJECTION** – subject to conditions relating to highways works, laying out and retaining the access, parking and turning, and removal of PD Rights for gates etc.

**Internal Drainage Board: NO OBJECTION**

**Environmental Health & Housing – Environmental Quality:** No comments to make in relation to contaminated land.

**Environmental Health & Housing – CSNN:** Initially objected on disamenity grounds due to the location of the proposed chimney being within close proximity to the neighbour to the east.

This has now been addressed through an amendment to the scheme, essentially handing the dwelling and relocating the chimney on the western elevation.

## REPRESENTATIONS

None received

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS11** - Transport

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

### **NEIGHBOURHOOD PLAN POLICIES**

**Policy H2** - Encouraging High Quality Design

**Policy H3** - Infill Developments

**Policy H4** - Local Character

**Policy H5** - Residential Garages

**Policy T2** - On-Street Parking

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

### **PLANNING CONSIDERATIONS**

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

Principle of Development  
Design  
Neighbour Amenity  
Highway Safety  
Other Material Considerations

#### **Principle of Development:**

The site lies within the development boundary of South Wootton, which is classified as a 'settlement adjacent to King's Lynn' within the Development Plan settlement hierarchy.

Development in such locations would be considered acceptable in principle in accordance with the Development Plan, subject to compliance with relevant planning policies.

Further, the principle of residential development on the application site has already been established through the approval of outline consent (22/01239/O) in October 2022, where all matters were reserved. The approved dwelling was conditioned to be no more than 1.5 storeys in height in the interests of neighbour and visual amenities.

Previous to this, outline consent (22/00383/O) was granted in June 2022 where the dwelling was conditioned to be single storey, 'for both neighbouring amenity purposes and to ensure

the dwelling would not be out of character and an overly dominant form of backland development’.

The Parish Council were in support of both outline applications but stated within their comments that they ‘feel a single storey dwelling is the most appropriate to avoid overlooking and loss of privacy’.

The earlier outline consent clearly considered that a single storey dwelling was the most suitable form of development for the site at that time.

The Applicant’s Agent has explained that the reason for re-submitting the outline application (22/01239/O) so soon after the previously approved application was due to the imposition of the condition restricting the scale of the dwelling. They stated that the application title was for a two storey dwelling but it was conditioned a single storey dwelling which contradicted each other and they had limited opportunity that a 1.5 storey dwelling would be acceptable.

Notwithstanding the Parish Council comments, the re-submitted outline application (22/01239/O) allowed for further assessment of the application site, it’s surroundings and built form, and it was concluded that a [up-to] 1.5 storey dwelling would cause no material harm to the character and appearance of the street scene or to neighbour amenity and could be further assessed at reserved matters stage, hence the condition. The Parish did not raise a formal objection to the proposal and did not raise concerns in regard to form and character.

### **Design:**

General consideration regarding the impact of the proposed development on the form and character of the area was given and deemed to be acceptable in the outline consent (22/01239/O).

In terms of assessing the scale, appearance and layout of the proposed dwelling, the area is characterised by a mix of dwelling types, widely varying in scale, design and use of materials. The donor properties (Nos 22 and 24) are semi-detached 1930’s flat roofed Art Deco style dwellings.

Directly to the west is a large two storey residential care home constructed on red/orange brick. There are bungalows beyond that to the west along with large detached two storey dwellings.

Further to the east along Grimston Road, the development varies considerably, with a mix of single storey and 1.5 storey dwellings of differing roof forms.

The proposed dwelling would be 1.5 storeys in height (approx. 7.4m to its ridge and 2.2m to its eaves), containing accommodation within the roof space, which includes three pitched roof dormer windows to the front elevation. This is in keeping with the variety of design features in the area and the mixed character more generally.

In terms of its footprint, the proposed dwelling would relate adequately to the size of the plot in which it would sit, with sufficient spacing around the dwelling, so not to appear cramped, and a private garden that would be commensurate to a three-bedroom property.

The proposed dwelling would be sited behind the donor dwellings, roughly central of the plot. As such it would be set some 66m back from the highway. This together with its relatively modest scale, and the fact that it would be set against a backdrop of trees from the adjacent woodland, means that it would not be visually prominent.

The proposed garage would be sited in between the proposed dwelling and the host dwellings. It has been designed with a similar form as the new dwelling which it will be associated with.

Taking the above into account, it is not considered that the proposed 1.5 storey dwelling and garaging would cause any visual harm to the street scene or the wider character and appearance of the area.

It is considered therefore that the proposed development would accord with Neighbourhood Plan Policies H2, H3, H4 and H5; Core Strategy Policies CS01, CS02 and CS08; SADMPP Policies DM2, DM15 and DM17; and the general provisions of the NPPF.

### **Neighbour Amenity:**

Due to the siting of the proposed dwelling, consideration is given to the relationship with, and impact upon the host dwellings and their neighbour to the north. There is a separation distance of approx. 33.7m between the front (northern) elevation of the proposed dwelling and the rear elevation of No.22, and between 28m – 33.7m from the rear elevations of No.24. As such, there would be no significant overshadowing or overbearing impact upon the neighbouring properties as a result of the proposed dwelling.

Whilst the proposed garage is approx. 1m from the northern boundary of the site, due to its scale and the depth of the host dwelling's gardens (approx. between 13m – 18m), it is not considered that any resulting impact would be significant to the detriment of the resident's living conditions.

The three dormer windows within the northern roof slope of the proposed dwelling serve bedrooms. A cross section has been submitted with the application demonstrating that the garage building would obscure any views towards the host dwellings. Notwithstanding this, the separation distance between properties is such that it is not considered to result in significant loss of privacy to the adjacent properties.

The easterly-most dormer window serving bedroom 4 would be sited some 35m away from the rear elevation of No.26. Although this is considered to be more than sufficient distance to limit any significant overlooking, the presence of garden sheds and such like, and garden planting to the rear of No.26 would further mitigate against any impact.

The proposed garage would be approx. 3.2m from the eastern boundary with No.26 and approx. 21m (at an acute angle) from the rear elevation of No.26. Thus, there is adequate separation distance so not to cause significant overshadowing or overbearing impact to the neighbouring property.

It is not considered that the proposed development would cause a material impact on the amenities of the residential care home to the west due to the scale of the proposed dwelling and the separation distances involved (approx. 19.6m between the western side elevation of the proposed dwelling and the eastern side elevation of the care home).

On the basis of the above, it is considered that the proposed development would accord with Neighbourhood Plan Policy H3; Core Strategy Policy CS08; SADMPP Policy DM15; and the general provisions of the NPPF.

## **Highway Safety:**

It is proposed to utilise the existing access off Grimston Road serving the host dwelling at No. 22. The access driveway will continue along the western boundary of the site to serve the new dwelling to the rear of the plot.

There is adequate visibility at the access point onto Grimston Road and the intensification of the use of the access is not considered to cause highway safety concerns.

The Local Highway Authority raises no objection to the proposed development given that the access and layout accords with adopted guidance and subject to the recommended conditions.

The proposed open fronted garage provides three parking bays, which meets the adopted Norfolk Parking Standards for a three-bedroom dwelling. There is adequate turning space on site to enter the highway in a forward gear.

As such, the proposed development is considered to accord with Neighbourhood Plan Policies H2, H5 and T2; Core Strategy Policies CS08 and CS11; SADMPP Policies DM15 and DM17; and the general provisions of the NPPF.

## **Other Material Considerations:**

### *Landscaping*

As a reserved matter, the landscaping proposed is simple with a gravel driveway, patio immediately surrounding the dwelling and the garden set out to grass. A grass belt is also proposed around the garage to the north, east and west.

### *Parish Council*

The Parish Council's comments in relation to the scale of the proposed dwelling and the impact upon the neighbouring properties are noted.

However, the most recent outline consent (22/01239/O) conditioned the dwelling to a maximum of 1.5 storeys in the interests of neighbour and visual amenities. As such, the scale of the proposed dwelling is considered to accord with the outline consent. The Parish Council did not formally object to the previous applications and thus did not trigger them to be referred to the sifting panel so were delegated decisions.

Overlooking and loss of privacy are considerations for reserved matters.

The impact upon neighbour amenities, such as overshadowing, overbearing and overlooking has been addressed in more detail above in this report, in accordance with Neighbourhood Plan Policies H2 (f) and H3 (c).

### *Biodiversity Net Gain (BNG)*

The application is exempt from the BNG mandatory requirements as it was submitted prior to when the legislation came into force (April 2024).



## *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 will not have a material impact upon crime and disorder.

## **CONCLUSION**

The NPPF (2023) (Paragraph 2) states that Planning Law requires that application for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise, as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

The overriding objective of the NPPF is a presumption in favour of sustainable development in accordance with an up-to-date plan.

The application seeks reserved matters approval for the construction of a 1.5 storey, three-bedroom dwelling and garage. The principle of residential development on the site has been established through the approval of outline consent (22/01239/O), which imposed a condition restricting any new dwelling to a maximum of 1.5 storeys in height. The current proposal is therefore compliant.

The proposed development is considered to be of an acceptable scale, design, appearance and layout for the reasons set out above within this report. It is not considered that the proposal would have a detrimental impact upon the amenities of neighbouring properties due to adequate separation distances together with screening from the proposed garage building.

Access, parking and turning accords with adopted standards and as such, the Local Highway Authority raises no objection to the proposal.

Overall, the proposed development is considered acceptable and complies with Policies H2, H3, H4, H5 and T2 of the South Wootton Neighbourhood Plan (2023); Local Plan Policies CS01, CS02, CS03, CS08 and CS11 of the Core Strategy (2011); Policies DM1, DM2, DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023).

## **RECOMMENDATION:**

**APPROVE** subject to the imposition of the following condition(s):

- 1 Condition: The development hereby permitted shall be carried out using only the following approved plans:
  - 2461-10B Proposed Floor Plans, Elevations and Sections
  - 2461-11B Proposed Site Plan
  - 2461-12 Proposed Carport Plan, Elevations and Sections
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Prior to the first occupation of the development hereby permitted the vehicular / pedestrian / cyclist access / crossing over the verge / footway shall be

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constructed in accordance the highways specification TRAD 2 and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

- 2 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety, in accordance with Policy H2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policy DM15; and the general provisions of the NPPF (2013).
- 3 Condition: Any access gates / bollard / chain / other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway.
- 3 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened, in accordance with Policy H2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policy DM15; and the general provisions of the NPPF (2013).
- 4 Condition: Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.5 metres for a minimum length of 10 metres as measured from the near edge of the highway carriageway.
- 4 Reason: In the interests of highway safety and traffic movement, in accordance with Policy H2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policy DM15; and the general provisions of the NPPF (2013).
- 5 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car and cycle parking / turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policies H2, H5 and T2 of the South Wootton Neighbourhood Plan (2023); Core Strategy (2011) Policies CS08 and CS11; SADMPP (2016) Policies DM15 and DM17; and the general provisions of the NPPF (2013).