

## AGENDA ITEM NO: 8/3(d)

<b>Parish:</b>	<b>East Winch</b>	
<b>Proposal:</b>	<b>Construction of a new 3 bedroom detached dwelling on land to the East</b>	
<b>Location:</b>	<b>Land East of 32 Town Close East Winch Norfolk</b>	
<b>Applicant:</b>	<b>Mr And Mrs Baljinder Anota</b>	
<b>Case No:</b>	<b>16/01191/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 8 September 2016</b>

**Reason for Referral to Planning Committee** – Applicant is a Borough Councillor

### Case Summary

Full planning permission is sought for one detached three-storey, three-bed dwelling on a rectangular parcel of garden land measuring approximately 0.032ha.

The site is in a residential location within both the existing and proposed development boundary for East Winch, and has residential properties to all four compass points.

The site lies in Flood Zone 1.

### Key Issues

Principle of Development  
Form and Character  
Appeal History  
Highway Safety  
Residential Amenity  
Other Material Considerations

### Recommendation

**REFUSE**

## THE APPLICATION

Full planning permission is sought for one detached three-storey, three-bed dwelling on a rectangular parcel of garden land measuring approximately 0.032ha. The site is bounded by close boarded timber fencing to the west, north and east and is partly hedged / partly open to the south (adjacent to the highway). Nevertheless the status of the land is garden land associated with the donor property (no. 32).

The site is in a residential location within both the existing and proposed development boundary for East Winch, and has residential properties to all four compass points.

The site lies in Flood Zone 1.

A similar scheme was refused and dismissed at appeal in 2010.

## **SUPPORTING CASE**

The Design and Access Statement that accompanied the application suggests that this is an 'Ideal candidate for a first time entry to the housing market or a self-build project because it is within an established community, sustainable from a transport and location viewpoint'.

## **PLANNING HISTORY**

10/00527/F – Construction of dwelling – Refused and dismissed at appeal

## **RESPONSE TO CONSULTATION**

**Parish Council:** None received at time of writing report

**Highways Authority:** **NO OBJECTION** subject to conditions

**Environmental Health & Housing – Environmental Quality:** **NO OBJECTION** subject to conditions relating to the removal of a garage on the site.

## **REPRESENTATIONS**

None received at time of writing report.

## **NATIONAL GUIDANCE**

**National Planning Policy Framework** – sets out the Government's planning policies for England and how these are expected to be applied.

**National Planning Practice Guidance** - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

## **PLANNING POLICIES**

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

**4/21** - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT**

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **PLANNING CONSIDERATIONS**

The main issues for consideration in the determination of this application are:

- Principle of Development
- Form and Character
- Appeal History
- Highway Safety
- Neighbour Amenity
- Other Material Considerations

### **Principle of Development**

East Winch is identified as a 'Rural Village' in the Settlement Hierarchy set out in Policy CS02 of the King's Lynn & West Norfolk Core Strategy, 2011. Furthermore the application site falls within both the existing and proposed development boundary for the settlement. Within these areas the principle of new residential development is generally considered to be acceptable under Policies CS02 and CS09 of the Core Strategy, Policies 8/1 and 4/21 of the Local Plan and emerging Development Management Policy DM2. Development must however have regard for and be in harmony with the building characteristics of the locality and comply with all other relevant policies.

### **Form and Character**

Paragraph 58 of the NPPF requires that planning decisions should 'ensure that developments will function well and add to the overall quality of the area...respond to local character...and be visually attractive as a result of good architecture'. It goes on to state at paragraph 64 that 'permissions should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions'. This stance is reiterated in Core Strategy Policy CS08 and emerging Development Management Policy DM15.

The form and character of Gayton Road (Town Close) is mixed in terms of type of dwelling. To the south of Gayton Road the dwellings are predominantly single storey. On the north side of Gayton Road the dwellings differ. This side of the road demonstrates single and two storey dwellings on wider plots with ample side gardens, on a building line that follows the curvature of the road. What is notable on the northern side of Gayton Road is the wide separation distances between the pairs of semi-detached properties compared to the more compact form of development on the southern side of Gayton Road. Another key characteristic shared by all dwellings is that their main ridge line runs parallel to the road.

### **Appeal History**

In 2010 an application for the construction of a detached, two-bedroom dwelling was refused and dismissed at appeal. Whilst rather a simple form of design, drawing influence from the adjacent ex-authority dwellings, the application (10/00527/) was refused and dismissed on appeal (APP/V2635/A/1 0/2133176) as the house would appear cramped by virtue of the small separation distances between the house and its boundaries where were considered to give the house an awkward and incongruous appearance to the detriment of the character and appearance of the area.

The current proposal for a three-bed, three-storey pitched roof gable end dwelling onto the road has marginally increased the separation distances between the new dwelling and its boundaries, and the property is set slightly further back.

However, the current scheme is considered to increase the incongruous nature of the development. The property's pitched roof, running at 90 degrees to the road, and three-storey design introduces alien features into the locality. Whilst there is an increase in the distance between the proposed dwelling and the neighbouring properties from 0.84m to 1.4m on the western boundary, and 0.44m to 1m on the eastern boundary, the proposal does not respect the built characteristics of the locality and is also still cramped, and does not respect the separation distances that the inspector referred to as being a feature of the built form that 'contributes positively to the character and appearance of the streetscene'.

The proposed development is therefore considered to represent poor design that does not take the opportunities available for improving the character and quality of an area or the way it functions and is therefore contrary to paragraphs 25 and 64 of the NPPG, Core Strategy Policy CS08, emerging Development Management Policy DM15 and Saved Local Plan Policy 4/21.

### **Highway Safety**

The Local Highway Authority (LHA) considers that both the donor property and proposed dwelling would have acceptable parking provision and that, subject to conditions, the application would accord with adopted highway standards.

The LHA therefore raises no objection on the grounds of highway safety.

### **Neighbour Amenity**

It is not considered that there would be any material overlooking, and overshadowing and overbearing impacts would not be of a degree to warrant refusal.

No objections had been received from occupiers of neighbouring properties at the time of writing the report.

## **Other Material Considerations**

Drainage is to be via main sewer and soakaway both of which are in accordance with the drainage hierarchy.

Whilst the Environmental Quality Team suggests conditions relating to the removal of a garage on the site, there were no structures on the site at the time of the site visit (03.08.2016). It is therefore considered the proposed conditions are not necessary.

## **Crime and Disorder**

There are no specific crime and disorder issues arising from the proposed development.

## **CONCLUSION**

The proposed property, by virtue of being three-storeys in height and having a gable end facing the road, does not respect the built characteristics of the locality, and the infilling of a gap that the Inspector in the previous appeal considered contributed positivity to the character of the appear, would unacceptably harm the character and appearance of the surrounding area.

It is therefore concluded that the proposed development would not add to the overall quality of the area and would not be visually attractive as a result of good design. It is therefore recommended that this application be refused for the following reason.

## **RECOMMENDATION:**

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

- 1 The proposed development, by virtue of its cramped arrangement and three-storey, gable end design does not respect the built characteristic of the locality and is therefore considered to represent poor design that does not take the opportunities available for improving the character and quality of an area or the way it functions. The proposal is therefore contrary to paragraphs 25 and 64 of the NPPG, Core Strategy Policy CS08, emerging Development Management Policy DM15 and Saved Local Plan Policy 4/21.