

AGENDA ITEM NO: 8/3(e)

Parish:	Heacham	
Proposal:	Construction of dwelling	
Location:	27 Malthouse Crescent Heacham King's Lynn Norfolk	
Applicant:	Mrs Boswell	
Case No:	16/00976/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 18 July 2016 Extension of Time Expiry Date: 9 September 2017

Reason for Referral to Planning Committee – The views of Heacham Parish Council is contrary to the Officer recommendation.

Case Summary

The application site lies within an area designated as Built Environment Type D according to Local Plan Proposals Maps for Heacham.

The site is roughly triangular in shape and increases slightly in height towards Malthouse Crescent.

The site is part of the garden to no. 27 Malthouse Crescent.

The application seeks consent for the construction of a detached dwelling.

Key Issues

Principle of Development and Planning History
Form and Character Issues
Impact upon Neighbour Amenity
Highway Safety
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site lies within Built Environment Type D according to Local Plan Proposals Maps for Heacham.

The site is on the southern side of Malthouse Crescent on a corner plot.

The site measures little over 300sqm in area and contains overgrown shrubs and 3 Cherry Trees and is held in association with the donor property, no. 27 Malthouse Crescent.

Malthouse Crescent comprises of single storey detached properties staggered back from the road on roughly equal size plots. The properties were constructed from brick and pantile and benefit from off road parking.

The properties on the public road, Malthouse Crescent, heading in a northerly direction are mainly 2 storey properties in form with the exception being a 1/1/2 storey chalet dwelling on the corner of Malthouse Crescent and Lords Lane. Heading south on Malthouse Crescent there are two storey semi-detached properties and single storey detached properties. The properties on the public road, Malthouse Crescent consist of red brick and carstone or later additions in buff brick.

This proposal seeks consent for a chalet dwelling which scales 5.5m (h) x 8.65m (w) x 5.95m (d) exc. Porch. The property is to be constructed from red brick, UPVC windows and doors and clay pantiles. The property will benefit from off road parking and is a 2 bedroom property. Boundary treatments will be retained and a new 1.8m close boarded fence will separate the property from the donor dwelling.

SUPPORTING CASE

The Design and Access Statement comprises of:-

- A new 2 bedroom property taking up frontage garden not used by the donor property
- To the north are no. 17 and 25 which make up the same small cul-de-sac close and beyond is a much tighter knit development opposite the public house together with terraces further north.
- To the south is no. 29 Malthouse Crescent, a house that sits at a higher level than this site.
- A mature hedge separates no. 27 and no.29.
- The ground floor of the property comprises of the lounge with stairwell to the side, open plan kitchen, dining room and lounge plus separate bedroom, bathroom and A/c. The stairwell leads to the first floor where there is a single bedroom
- The scale of the bungalow is similar to those in the cul-de-sac with a single room in the roof. The site is lower than road level and its adjacent neighbour.
- The maximum height to eaves is 2.38m and the internal floor area measured between external walls at ground and first floor is 53m²
- Garden area will be created between the public road and the private drive with erection of a fence and landscaping. The garden area is 82m², with front garden and car parking area of 87m². The donor property losing space to the new site will still maintain 134.25m² of private back garden.
- 3 Cherry trees, a poor quality hedge and self-seeded trees will be removed and a 1.8m high close boarded fence will be erected to the rear north side and taken around the corner to meet with the hedge of no.29. A 1.2m fence will be erected on the roadside frontage.
- The proposals are for a red stock facing brick to be agreed by the LPA with open canopy porch with boarded gable over the entrance. Roof covering is to be of antique brown concrete clay pantiles with hip roof. Windows and doors are to be upvc.
- Access will comply with Part M of the building regulations
- Foul drainage is available in the road.
- Surface Water will be dealt with by soakaway.

PLANNING HISTORY

16/00308/F: Application Withdrawn: 15/04/16 - Proposed new dwelling east of - 27 Malthouse Crescent

2/99/0705/F: Application Permitted: 09/07/99 - Extensions to dwelling

RESPONSE TO CONSULTATION

Parish Council: OBJECTION over intensive development of the site and adversely affects neighbours amenity.

Highways Authority: NO OBJECTION subject to condition

Environmental Health & Housing – Environmental Quality: NO OBEJCTION

REPRESENTATIONS

2 Objections received in regards to the proposal

- The bungalow will be left with a very small back garden which would present problems when selling
- Obscure the view into the cul-de-sac
- Make it difficult to access
- Property frontage will be very close to no. 17
- Bungalows are well set back
- The roof line will be higher than the donor bungalow
- Overpowers outlook of no. 17
- Damage caused by delivery vehicles
- Poor visibility when leaving the cul-de-sac

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.

8/1 - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

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 planning considerations in regards to the proposal are:-

- Principle of Development and Planning History
- Form and Character
- Impact upon Neighbour Amenity
- Highway Safety
- Other material Considerations

Principle of Development and Planning History

The site lies within an area designated as Built Environment Type D according to local plan proposals for Heacham.

Heacham is classified a Key Rural Service Centre in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy (2011)

The previous application on the site was submitted for a chalet dwelling with dormer windows to the front and rear. Features of the previous design also involved a large pitched roof porch to the front of the dwelling. The proposed property was gable end onto the road, with its principle elevation facing 27 Malthouse Crescent.

The previous application was withdrawn on the basis of Officer comments. The officer considered that the proposed property which faced towards the donor dwelling appeared rather contrived. The detailing of the east elevation of the proposed property and by turning its back on all other properties in the road would have advocated poor design.

Additionally, in terms of layout, the proposal was considered to be a cramped form of development, underlined by the need to site the property gable end onto the road.

From a neighbour amenity perspective, by facing the property towards the donor dwelling in the siting shown, the property was within 4-5m of the shared boundary, this would have been overbearing. Additionally the relationship with no.29 was considered to be awkward given the higher land height of the site compared to no.29.

A 1.8m high fence along the site's frontage was also considered to be out of keeping with the street scene. By pulling the fence into the site in order to plant a hedge alongside the roadside boundary, would have reduced the private amenity space to this property even further.

In order to address these issues, the application was withdrawn and subsequently revised to tackle the above mentioned issues.

Principally, provided these issues and any other material considerations are satisfactorily addressed, the proposal could be supported.

Form and Character

Malthouse Crescent contains 6 detached bungalows all equally spaced, with similar separation, staggered back at similar distances from the roadside. The properties principal elevations face the road. Each property benefits from off road parking.

The properties are contained behind low level boundary walls to the roadside boundary. Conifer hedging comprises the rear and side boundary treatments to most of the properties in the street.

The properties are in the main constructed from red/orange brick with pantile with UPVC windows and doors.

The publically adopted section of Malthouse Crescent is more varied in its form and character. There is a mix of bungalows and two storey dwellings that are constructed from a variety of materials. Generally the two storey dwellings in the vicinity are older properties and constructed from carstone and red brick. The single storey dwellings are constructed from buff brick and are circa 1960s in their period of construction. Both hard and soft boundary treatments front onto the publically adopted part of Malthouse Crescent.

A relatively recent chalet bungalow, which can be seen in association with this site, has been constructed on the corner of Malthouse Crescent, at no.15, which is constructed from red brick and carstone.

This site is at the junction of the private and public part of Malthouse Crescent. The site gradually slopes away from the public part of Malthouse Crescent by almost up to 1m and forms an extended garden area to no.27 Malthouse Crescent which is mainly a grassed area containing a few cherry trees.

The site is partially screened from the public part of Malthouse Crescent by an existing hedge that flanks the road. Turning into the private part of Malthouse Crescent, the site has 1.2m concrete post and mesh fencing that flanks the road. Conifer hedging forms the southern boundary of site, which is approximately 1.8m high. Access to the site is through the driveway of the donor property.

The proposed property, that forms this application, has tried to address the issues of the previous withdrawn application. The property now faces towards the road with its principal elevation accessed from Malthouse Crescent. The scale of the property has been reduced – its width has been reduced from 10.115m to 8.65m, its depth reduced from 6.525m to 5.95m and its height reduced from little over 6m to 5.5m.

Parking is provided to the side of the property.

It is by virtue of the proposed property being located at the junction of the private and public points of Malthouse Crescent, that a denser form of development can be legitimately considered. Furthermore, whilst heading north along Malthouse Crescent, the sense of enclosure becomes more apparent.

The proposed property is rather modest and will benefit from an appropriate amenity space and a more private space than the chalet dwelling on the corner of Malthouse Crescent at no.15.

The proposed 1.8m high fence as it turns the corner will be prominent and the agent has indicated that a hedge can also be planted on this front boundary to reduce the impact of the fencing. The agent has tried to reduce the impact of tall fencing within the cul-de-sac of Malthouse Crescent by dropping it to 1.2m in height. A wall or soft form of boundary treatment would be more appropriate facing the private cul-de-sac and more details in respect to hedging and fence arrangement at the junction is required. A condition in regards to boundary treatment will be imposed.

It is considered that whilst no.27 Malthouse Crescent is being subdivided leaving it with not as much amenity space as the other properties in the cul-de-sac and the rhythmic spacing between the properties in the street scene is eroded, on balance the harm caused to the character of Malthouse Crescent in both the private and public sections of the road is outweighed by the provision of a further dwelling.

Impact upon Neighbour Amenity

The proposed property is sited forward of the principal elevation of the donor dwelling, however its scale is rather modest and its siting to the north east of the donor property will result in little overshadowing into their front garden which is mostly used to facilitate parking. It is also by virtue of the scale of the property and its siting that it overcomes the issue raised in the previous application namely that the property was overbearing upon the donor dwelling. There are no windows in the west elevation of the proposed property. In order to avoid car headlights shining into any habitable room contained at the front of the donor property a 1.2m high close boarded fence forms the shared separating boundary.

The neighbours to the north of the proposed property are some 19m away from the flank elevation. The neighbour to the south is, at its closest point, 9m away from the rear elevation of the dwelling and 12.6m from its ridge.

The land height of no.29 is in fact higher than the site; nevertheless the height of the proposed property has been reduced to no taller than the existing dwelling. With the roof moving away from the neighbour, and its siting due north, it is considered that this neighbour will not experience detrimental overshadowing or overbearing issues that would justify refusing the application. The window height in the bedroom in the roof space is at its lowest point 1m above floor level and its highest point 1.8m above the floor level. The separating distance of 12m coupled with a condition that provides further details on safeguarding this neighbour's amenity is sufficient.

The neighbour to the west of the site is on the opposite side of Malthouse Crescent and is not unduly affected by the proposed dwelling.

Highway Safety

Third party representations raise a number of highway safety concerns.

The highways officer comments that the junction with the adopted section of Malthouse Crescent is acceptable in width and affords acceptable levels of visibility; therefore, the highways officer has no objection to the proposal subject to condition.

Other Material Considerations

The Environmental Health and Housing – Environmental Quality team has no objection to the proposal.

There is no need to consult the Environment Agency on this proposal as the existing and potential uses of the site do not involve the production of waste. The site is also located within flood zone 1 the least restrictive flood zone.

CONCLUSION

Members will need to consider whether a property on this site can be achieved without causing detrimental harm to the character of the development in this part of Heacham.

The initial proposal was considered to cause visual and neighbour amenity issues by virtue of its siting and scale.

The proposal has revised its siting so it now faces Malthouse Crescent and has reduced its scale. Whilst the donor property has lost some of its garden area, the proposal is no longer considered to be a cramped form of development and has overcome neighbour amenity issues.

It is your officer's opinion that the proposal on balance does not cause harm to the wider character of Malthouse Crescent and subject to conditions the proposal is recommended for approval.

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 in accordance with the following approved plans:-
 - Existing and Proposed Site Plans and Site Sections drawing no. 1957-05A dated 22nd August 2016 received 22nd August 2016.

- Proposed Plans and Elevations and Sections drawing no. 1957-04A dated December 2015 received 22nd August 2016

- 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 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 area, in the interests of highway safety.
- 4 Condition No development shall take place on any external surface of the development hereby permitted until details of the bricks to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition Notwithstanding details received; prior to the installation of the windows at first floor in the south elevation roof slope of the dwelling hereby approved details of the window opening to bedroom 2 shall be submitted to and approved in writing by the local planning authority. The details shall include mechanisms for restricting the opening of the bedroom window and any obscure glazing. The development shall be carried out in accordance with these agreed details and shall thereafter be retained as such.
- 5 Reason In order to protect neighbour amenity in accordance with the principles of the NPPF.
- 6 Condition Notwithstanding details received prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected on the northern and eastern boundaries of the site. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.