

## AGENDA ITEM NO: 8/2(f)

<b>Parish:</b>	<b>Sedgeford</b>	
<b>Proposal:</b>	<b>RETROSPECTIVE APPLICATION : Retention and completion of detached single storey open car port to front of existing house</b>	
<b>Location:</b>	<b>Cole Green House Fring Road Sedgeford Norfolk</b>	
<b>Applicant:</b>	<b>Mrs Kathryn Holt</b>	
<b>Case No:</b>	<b>21/00419/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr M Broughton</b>	<b>Date for Determination: 29 April 2021 Extension of Time Expiry Date: 18 June 2021</b>

**Reason for Referral to Planning Committee** – Called in by the Director of Environment and Planning

**Neighbourhood Plan:** Yes

### **Case Summary**

The land is situated on the south side of Fring Road, Sedgeford, within the village boundary, Conservation Area and the designated Norfolk Coast AONB.

The application seeks the retention and completion of a detached, single storey, open car port to front of existing house at Cole Green House Fring Road Sedgeford.

The National Planning Policy Framework 2019, the Sedgeford Neighbourhood Plan, the King's Lynn and West Norfolk Borough Council Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMP) 2016 are relevant to this application.

### **Key Issues**

Principle of development and policy  
Form and Character  
Impact on the locality  
Other considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The land is situated on the south side of Fring Road, Sedgeford, with access approximately 25m south-east of 'Cole Green' and its junction with Heacham Road and Docking Road.

The site comprises a 2 storey detached dwelling with a range of low level outbuildings on the north-eastern boundary, recently approved for conversion to a studio and bedroom accommodation and conditioned as ancillary to the use of the dwelling. In the rear garden on the west side of the dwelling there is an open swimming pool with ancillary building.

The application seeks the retention and completion of a detached, single storey, open carport at the front, south-west corner of the existing dwelling at Cole Green House, Fring Road, Sedgeford, abutting the southern boundary of the curtilage.

It is the timber frame that has already been constructed, orientated east / west and positioned on the south boundary of the curtilage of the site, which is gravelled and part of the existing parking and turning area fronting the dwelling, which can cater for 6 vehicles parking and manoeuvring.

It is proposed to complete the timber building with cedar shingles to the roof, vertical timber cladding to the low level gables and similar timber cladding to the 900mm high screen proposed to 3 sides, leaving the north side completely open for access for 3 cars to park therein. Parking and manoeuvring is retained otherwise as existing.

## **SUPPORTING CASE**

This statement has been prepared following the recent grant of Planning permission for the conversion of existing outbuildings on the site into ancillary bedroom accommodation ref 20/00030/F.

A timber 3 bay open sided carport frame has been erected in front of Cole Green House, with parking for 3 cars proposed. A cedar shingle roof and low level screen fences to 3 sides is proposed.

The home owners were of the belief this would be allowed under Permitted Development and previous approval and comment:

- The builder repeatedly reassured us the car port could be erected under Permitted Development. In addition, the developer had told us on purchase in 2006 that there had previously been planning permission for a car port to be built at the front of the house, but he had chosen not to do that.
- It is not our intention to flout planning laws, which we understand are there for good reason. We are suitably embarrassed that this is a retrospective application and that this has upset our Parish Councillors. We can assure Sedgeford Parish Council and the Borough Council of King's Lynn and West Norfolk that we will never again undertake any project without following the correct procedures by ensuring that planning permission is first in place.

Work was stopped on the building in December 2020.

Local concern is not from immediate neighbours, but from the Parish Councils whose comments to date have not been supportive to my client and are especially detailed in the light of this been a retrospective application.

Summary of comments submitted by the Parish Council:

- Over development of the site / cramped on the plot
- Loss of parking
- Scale & Design
- External Lighting

The garden area of the site (red edged on agents plan) is 1500m<sup>2</sup> 0.37 acres. The total building footprint area will be 346m<sup>2</sup> or 23%.

The outdoor pool itself if included takes this to 390m<sup>2</sup> or 26%.

This is a very large and generous plot by todays housing standards

The gravel area at the front of the house has always been used for vehicle parking and turning. It is fully screened from neighbours and hidden from the road by mature hedges and the house itself. This is the ideal location for the carport, it maintains the front elevation of the house and maintains vehicle access to north side of the house

A car port in this location at the front corner of the existing house organises the parking, maintains the existing front elevation and visually screens the vehicles.

By keeping all the carport sides open, it makes the building appear to be see-through and light so it has less of an impact on the property and still maintains the views from the house windows.

The scale is normal for vehicle parking and in keeping with the size of the house it serves. The height of the car port from ground to ridge is a maximum of 3.9m. The materials used are to be all timber, with cedar shingles to the roof to match the existing pool house.

The existing external lighting to the parking area is PIR operated wall lights mounted on the house. These will be maintained.

Lighting:

Lighting to the carport will be situated in the open roof space and so be screened from any direct external view. Light will no doubt spread to an area a little larger than the carport foot print, however these lights will also be PIR operated so as not to cause nuisance.

Note: The Agent report includes a plan of the overall site layout and a front elevation of the dwelling depicting the cart shed in situ

## **PLANNING HISTORY**

21/00030/F: Permitted - Planning Committee 17/05/21: Conversion and extension of existing detached carport and garage to ancillary bedroom accommodation and storage shed (Retrospective) - Cole Green House Fring Road Sedgeford (See notes on history below 04/0437/F)

19/02210/F: Permitted: 21/02/20 - Proposed external swimming pool and detached pool house - Cole Green House

19/01759/LDE: Was /\_Would be Lawful: 19/11/19 - Lawful development certificate: Use of former meadow land as domestic garden land in excess of 10 years - Cole Green House

19/00122/PREAPP: Likely to refuse 02/09/19: Proposed two storey side extension with a linked single storey swimming pool building and a single storey rear garden room extension - Cole Green House

19/00043/TREECA: Tree Application - No objection: 25/03/19 - T1 Horse Chestnut - Fell - Cole Green House

18/01180/F: Withdrawn: 13/07/18 - Raise the height of boundary garden wall - Cole Green House

18/00133/TREECA: Tree application No objection: 12/09/18 - T1 Horse Chestnut - 4m overall crown reduction. T2 & T3 Horse chestnut, remove. T4 & T5 Horse chestnut, remove, within a Conservation Area - Cole Green House

17/00216/TREECA: Tree Application - No objection: 13/12/17 - T1 Ash, fell. T2 Horse chestnut, fell. T3 Horse chestnut, fell within a Conservation area - Cole Green House

17/00154/TREECA: Tree Application - No objection: 22/09/17 - Felling of 5 Sycamore trees and 1 Ash tree within a Conservation Area - Cole Green House

17/00105/TREECA: Tree Application - No objection: 16/05/17 - Cole Green House

15/00069/TREECA: Tree Application - No objection: 02/06/15 - Remove Re-plant as per schedule within Conservation Area - Cole Green House

04/0437/F: Permitted: 25/05/04 - Construction of house and conversion of existing outbuildings to garaging - Site Adjacent West Lodge Sedgeford Hall Sedgeford

(Note: the 3 parking bays in the existing structure were approved for outward extension – albeit not built)

02/1969/F: Planning Committee – Permitted 21/01/03: Completion and retention of dwelling house (revised dwelling design) - land Adjacent West Lodge Sedgeford Hall Sedgeford (recorded works commenced – foundations of dwelling laid in accordance with 80/3623/D))

80/3623/D: Permitted – full details - construction of dwelling and cart shed garage (implemented – foundations laid) - land Adjacent West Lodge Sedgeford Hall Sedgeford

80/0509/O: Permitted – outline approval – construction of dwelling and cart shed garage - land Adjacent West Lodge Sedgeford Hall Sedgeford

## **RESPONSE TO CONSULTATION**

### **PARISH COUNCIL: OBJECTION**

This application cannot be viewed in isolation and in order for Sedgeford Parish Council to comment we must reference application 21/00030/F.

This application is also retrospective from the same applicant, and relates to the conversion, without planning consent or change of use, of the applicants pre-existing car port and storage area into additional residential accommodation.

The applicant having disposed of this existing facility has now begun to replace same with a substantial new build construction, in a different location within a Conservation Area, again without the required planning consent.

When the Parish Council commented on application ref: 21/00030/F, it was stated that with the swimming pool construction and associated pumping/filtration building, together with the conversion of the existing cart lodge to residential accommodation, it was considered that this site was now overdeveloped, and further development would not be countenanced.

This substantial proposed cart lodge is clearly further over development and cannot be supported by the Council.

The construction contravenes policies H3/H7 and E6 of the Sedgeford Neighbourhood Plan:

- Policy H3:

Infill development within the Development Boundary: Dwellings/Buildings should maintain adequate spacing and not appear cramped on the plot.

- Policy H7:

Residential Extensions: This development is clearly visible to those walking/cycling on Fring Road does not relate well in terms of height, scale and impact on the street scene, does not preserve or enhance the Conservation Area. The proposed building occupies a cramped position between the existing house and a cottage immediately to the left.

- Policy E6:

Dark Skies: Development proposals that include external lighting can cause light pollution which could be harmful to the dark skies which characterise this part of Norfolk.

Substantial and significant development has and is continuing to take place on this site, with no reference to planning law or consideration for the surroundings. There are a number of houses in Sedgeford which could equally begin to carry out such developments, and if a precedent is set other people may well feel confident in progressing down this route, which will cause damage to the Village, the Community and potentially the Conservation Area.

We would ask that this further development is not approved.

#### **CONSERVATION OFFICER: NO OBJECTION**

- This will cause no harm to the conservation area

#### **HISTORIC ENGLAND: NO OBJECTION**

#### **LOCAL HIGHWAY AUTHORITY: NO OBJECTION**

- Condition applies re parking layout

#### **HISTORIC ENGLAND: NO OBJECTION**

#### **NORFOLK COAST PARTNERSHIP: NO RESPONSE TO DATE**

## **REPRESENTATIONS**

No third party comments have been received

## **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** - Transport

**CS12** - Environmental Assets

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

**DM15** – Environment, Design and Amenity

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy H3:** Infill development within the Development Boundary

**Policy H7:** Residential Extensions

**Policy E6:** Dark Skies

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)

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

National Design Guide 2019

## **PLANNING CONSIDERATIONS**

### **Key Issues**

- Principle of development and policy
- Form and Character
- Impact on the locality
- Other considerations

### **Principle of development and policy:**

This site lies at the eastern edge of the built-up area of the Sedgford village, on the south side of Fring Road, within the Conservation Area and AONB.

The application seeks to complete the construction of a 3 bay, mainly open sided, timber cart-port for parking 3 cars, within the existing gravelled parking and manoeuvring area, on the south west side of the curtilage of the dwelling.

In principle, development in this location is acceptable if the proposal accords with the Sedgeford Neighbourhood Plan, the King's Lynn and West Norfolk Borough Council Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMP) 2016. Due consideration is also given to the National Planning Policy Framework 2019, which is a key material consideration.

The main issues in relation to the determination of this application are whether the proposal is acceptable in terms of use and design, particularly given its location in the Conservation Area and AONB, whether it constitutes over-development of the site and whether it will be of detriment to the amenity of the locality.

Sedgeford Neighbourhood Plan:

The site falls within the Sedgeford Neighbourhood Plan area. In their objection, the Parish Council specifically referenced Policies H3/H7 and E6 of the Sedgeford Neighbourhood Plan:

*Policy H3: Infill development within the Development Boundary – Dwellings/Buildings should maintain adequate spacing and not appear cramped on the plot.*

- Officer comment: This application is not an 'infill' type, thus the policy is not relevant to the application

*Policy H7: Residential Extensions – this development is clearly visible to those walking/cycling on Fring Road does not relate well in terms of height, scale and impact on the street scene, does not preserve or enhance the Conservation Area. The proposed building occupies a cramped position between the existing house and a cottage immediately to the left.*

- Officer comment: The car-port is an outbuilding, separated from the dwelling and is considered to be relatively discreet in terms of scale, design and siting and does not reduce the available on-site parking spaces

*Policy E6 Dark Skies: Development proposals that include external lighting can cause light pollution which could be harmful to the dark skies which characterise this part of Norfolk.*

*Substantial and significant development has and is continuing to take place on this site, with no reference to planning law or consideration for the surroundings. There are a number of houses in Sedgeford which could equally begin to carry out such developments, and if a precedent is set other people may well feel confident in progressing down this route, which will cause damage to the Village, the Community and potentially the Conservation Area.*

- Officer comment: The concern raised over the extent of outdoor lighting is addressed in the officer appraisal. A condition regulating external lighting and informative advice on lighting type are applied.

### **Form and Character:**

This area of Sedgeford is known as Cole Green. There is a small triangular area of green land, a village focal point with memorial thereon, at the junction of Fring Road, where it

emerges into a bend on the through route (Heacham Road / Docking Road). The compact street scene in this location is one of mixed, aged, 2 storey dwellings.

The land at Cole Green House is set back from the junction, situated at the eastern edge of the built-up area of the village, a rural back-drop, with the narrow Fring Road meandering eastward, at a higher level than the site, through agricultural land to Fring.

On the south side of the land, lies a tree belt, disguising the course of the east / west Heacham River valley and the known archaeological sites to the south-west – none of which are affected by this proposal.

The site entrance comprises a shared, surfaced track off Fring Road, serving West Lodge (a single storey detached cottage) prior to reaching Cole Green House. Thereafter it is unsurfaced, leading to the paddock / agricultural land and beyond.

Apart from the adjacent West Lodge, the nearest dwelling north-east to Cole Green House is a modern bungalow on the north side of Fring Road. There are no other dwellings in the immediate vicinity of the Cole Green House.

Cole Green House is a detached two-storey dwelling set-back and fronted by a sizable gravelled parking area which can cater for 6 cars parking. Along with surrounding paddocks south and east, the greater site is set at a much lower level than Fring Road on its western descent from Fring into the Cole Green junction with Docking Road.

It has an open swimming pool and associated plant building to its rear east side, with boundaries in post and rail fencing style. On the northern side of the dwelling, there is a brick-paved amenity yard area enclosed by minimum 2m high laurel hedge – forming the east and south boundaries of the adjacent West Lodge. Abutting the north-eastern edge of the yard is a range of single storey outbuildings, recently approved by the Planning Committee for conversion to create bedroom accommodation and studio conversion on the eastern end of the range.

The outbuilding range backs onto the northern boundary edge, which is actually high level banking, forming a wall, which rises above Fring Road level by approximately 1.8m in the location of the curtilage of this dwelling. That wall, edging the raised Fring Road, reduces in height to approx. 1.3m east of the curtilage of the dwelling.

The timber framed car-port (9m x 5.7m – ridge 3.8m high) subject of this 'retention and completion' application is sited on the south-west boundary of the site. It is proposed to complete the works by adding timber cladding to the low level gable ends and a 900mm high timber 'skirt' to 3 sides of the structure, with access to 3 cars from the northern elevation and the existing open gravelled parking area.

### **Impact on the locality:**

- Scale, design and use:

The site is within the development area of the village. The construction of a car-port, within the curtilage of a dwelling, is acceptable in principle. Given the dimensions and relatively low level height, the open 'cart-shed' style approach in design and proposed materials, this type of structure is considered appropriate to the rural scene, which apart from the village location itself, has a back-drop of green paddock, fields and trees.

Thus, in order to retain views through the car-port to the paddock / rural scene beyond, on the south side of the site, it should be conditioned that no doors should be applied and no



further cladding of the building be allowed without further application being submitted. This will retain the building in a rural design and takes into account the visual aspect of the locality.

Whilst due consideration is given to Policy H3 and H7 of the Sedgeford Neighbourhood Plan, neither directly apply to this proposal. It is of note however, there is no loss of on-site parking and no additional vehicular movements proposed. This proposal should not affect highway movements onto Fring Road.

In addition views of the car-port will be limited to the passer-by travelling east to west along Fring Road, given the low lying level of Cole Green House in comparison to Fring Road, and the fact that the dwelling itself obscures views into the south-west area of the site. In addition, the north / south access road leading to the site tends to curve slightly south-east as it passes by West Lodge and emerges to the site frontage. View into the gravelled frontage of the site, beyond West Lodge, is somewhat restricted from the Cole Green / Fring Road junction

- Impact on the Conservation Area, AONB and visual amenity of the area:

There is a requirement to preserve or enhance the character or appearance of the conservation area.

The Parish Council identify the car-port is visible to passers-by in the vicinity of Cole Green, that the proposal creates a cramped form of development and over-development of the plot, which if approved may encourage precedent in the village.

Each case is viewed on its own merit. Although the site entrance can be identified from Cole Green (south into the access track), there is minimal view from that junction of Cole Green House forecourt or the outbuilding under construction.

It should also be noted that the narrow Fring Road is edged by a 1.3m high wall which rises to approx. 1.8m in the vicinity of Cole Green House, where Fring Road bends slightly to the right on the Cole Green approach.

Cole Green House is a substantial dwelling at a much lower level than Fring Road and whilst the motorist, contending with the road layout ahead, may have a glancing view of part of the actual dwelling, the car-port in question is likely to be out of view. Whilst walking the same route it is likewise considered that, due to the layout and high wall, views of the car-port will be restricted by the setting of the dwelling.

The car-port is offset and thus does not interfere with the facade of the dwelling, being located on the extreme south-west boundary abutting the post and rail boundary line. Albeit the off-set is minimal, it is acceptable in its context with the dwelling, does not over-develop the site nor undermine the rural character of the village.

This timber structure is considered to be of a rural style, constructed in materials acceptable to the locality and, given its low level height, screened by the dwelling, it is unlikely it will create adverse appearance on the setting of the Conservation Area or AONB

There are no neighbour objections and no neighbour issues identified.

- Dark Skies:

In conjunction with Policy E6 of the Sedgford Neighbourhood Plan, the National Planning Policy Framework Clause 125 and Norfolk County Council's Environmental Lighting Zones Policy both recognise the importance of preserving dark landscapes and dark skies.

The applicant has declared 'there are small sensor operated external lights to the dwelling and that will not change'. Whilst existing sensor lights in place are considered to be acceptable and so not require permission in their own right, a condition shall be applied to restrict the appliance of additional outdoor lighting associated with the development, without application.

Informal advice, in line with general advice offered by Norfolk Coast Partnership, is applied relative to any internal light to the car-port.

- **Summary:**

The proposal is relatively small, utilises an existing parking area, and your officers consider has no adverse impact on the conservation area. Likewise, given its confinement on the site and conditions to be applied restricting additional outdoor lighting and full timber encasement, it is considered there is no material adverse impact on the AONB.

### **Other Considerations:**

Historical research:

- **Dwelling and car-port**

Historically the site had had approval for the construction of a dwelling with car-port, with the latter sited as that currently under consideration. Whilst site foundations for the dwelling were identified following applications in 1980 and 2002, no build above ground level took place, but technically the works were considered as 'commenced'.

A further application in 2004 identified the aforementioned foundations, but the application differed with a new design to the dwelling and included conversion of outbuildings to form 3 garages. A car-port was not inclusive to that application.

The current owner purchased the site in 2006 and the dwelling was built accordingly. A studio in the outbuilding was created, however, works to the outbuilding to create garages did not progress. More recently that outbuilding was converted to 3 units of bedroom accommodation.

Whilst the site has a complicated history, there is no current garage facility and it may be considered there is argument in support of the current proposal, given historical approval for siting, scale and design much the same as that currently proposed.

### **Crime and disorder:**

There are no known crime and disorder issues associated with this site or proposal

### **CONCLUSION:**

It is considered that the proposed car-port is of an acceptable design and scale, which does not overdevelop the site, which will not impact adversely on the character and appearance of the locality or neighbour amenity and would not create a detrimental impact upon the Conservation Area or AONB.

The fact that this application is retrospective is not in itself a reason for refusing the application. Historically, a car-port in the current location had been approved on two previous occasions.

Overall, the proposal is considered to be in accordance with the requirements of the Sedgeford Neighbourhood Plan, the Core Strategy 2011 and the Site Allocations and Development Management Policies Plan (SADMP) 2016, as well as the National Planning Policy Framework 2019. It is therefore recommended this application be approved.

## **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plan:
  - Block plan, roof plan, elevations, layout and west elevation in context with dwelling frontage - drawing 2233/10 – receipt dated 4/03/21
- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the first use of the development hereby permitted the proposed on-site car 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.
- 2 Reason To ensure the permanent availability of the parking / manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with the NPPF 2019
- 3 Condition No lighting to the exterior of the cart-shed development hereby approved shall be allowed without a detailed lighting scheme being submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.
- 3 Reason In the interests of 'dark skies' and the overall amenity of this locality, in accordance with the NPPF 2019, Policy CS12 of the Core Strategy 2011 and Policy DM15 of the SADMP 2016
- 4 Condition Other than the areas of cladding to the cart-shed hereby approved, no additional cladding or doors shall be applied to the building without first a further application being made to the Local Planning Authority.
- 4 Reason In the interests of the amenity of the rural back-drop to this location, in accordance with the NPPF 2019 and Core Strategy Policies CS08 and CS12.