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| Parish: | Clenchwarton | |
| Proposal: | OUTLINE APPLICATION SOME MATTERS RESERVED: Demolition of the existing dwelling and garage and the construction of up to 3No dwellings and a new access along with parking, landscaping and associated infrastructure | |
| Location: | 149 Main Road Clenchwarton King's Lynn Norfolk PE34 4DT | |
| Applicant: | C/o CLC Limited | |
| Case No: | 21/01496/O (Outline Application) | |
| Case Officer: | Bradley Downes | Date for Determination: 14 September 2021 Extension of Time Expiry Date: 15 October 2021 |

Reason for Referral to Planning Committee – Called in by Cllr Whitby

Neighbourhood Plan: No

Case Summary

The application is outline with access to be considered and all other matters reserved for the erection of up to 3 dwellings. The site lies in the development boundary of Clenchwarton on the north side of Main Road. The site also lies in Flood Zones 2 and 3a.

Key Issues

- Principle of development
- Impact on character and appearance of the area
- Impact on neighbour amenity
- Flood risk
- Other matters that require consideration prior to the determination of the application

Recommendation

REFUSE

THE APPLICATION

The application is outline with access to be considered and all other matters reserved for the erection of up to 3 dwellings. The site lies in the development boundary of Clenchwarton near the centre of the village on the north side of Main Road with Hall Road running along the west. The site also lies in Flood Zones 2 and 3a.

The street scene is verdant with Clenchwarton park to the west, however the character becomes more urban towards the east. The neighbouring dwellings immediately north and east of the proposed site have generous plot sizes. The site currently has a detached two storey dwelling which is proposed to be demolished as part of the development.

SUPPORTING CASE

The applicant originally sought consent to erect up to four dwellings on the site (planning application 21/00226/O). Following discussions with planning officers, outline planning application 21/00226/O was withdrawn. This application seeks outline planning permission for a reduced quantum of development of up to three dwellings.

The illustrative masterplan indicates how the scheme could be designed to comprehensively address the comments raised by planning officers and the Planning Inspectorate in relation to past applications for residential development on the site. In particular:

- 149 Main Road will be demolished to avoid the new homes having an awkward relationship with the existing house.
- The front elevations of the new homes directly face Main Road and/or Hall Road.
- The landscaped space on the southern and western side of the site helps to retain the open aspect of the site and the views towards Clenchwarton Park.
- The three dwellings sit comfortably with the building lines on Main Road and Hall Road.
- The new houses collectively turn the corner at the Main Road/Hall Road junction to create a coherent street frontage.

Additionally, the existing property has a poor relationship with its surroundings due to its siting within the plot. The proposal seeks to address this issue by demolishing the existing dwelling and constructing up to three new high-quality homes on the site that sit comfortably with the surrounding properties. The scheme is therefore sympathetic to the local pattern of development and provides a significant opportunity to create a more coherent and attractive street frontage at the Main Road/Hall Road junction. As such, the scheme will add to the overall quality of the area and will improve the appearance of the local street scene.

Furthermore, the proposed residential development density of circa 16.7 dwellings per hectare is similar to the combined density of the three residential plots immediately to the east of the site. As a result, the proposed development will facilitate the redevelopment an underutilised residential plot of land within the Development Boundary of Clenchwarton at a density that is appropriate for the local context.

The scheme will also make a positive contribution towards increasing the supply of housing in the Borough and will help to reduce the pressure to develop new housing on greenfield sites located on the edge of settlements in the future.

Moreover, the site is located towards the centre of Clenchwarton and is within a convenient walking distance of local services, facilities, public amenity space and public transport routes. As a result, the scheme will help to promote a sustainable pattern of development in the village and will support the sustainability of the local rural community.

In summary, this outline planning application seeks to deliver up to three high quality homes on an underutilised residential plot of land that is located within the Development Boundary of Clenchwarton and currently has a poor relationship with its surroundings. As a result, the proposed development provides an opportunity to improve the attractiveness of the local area. It is therefore respectfully requested that members approve this planning application.

PLANNING HISTORY

21/00226/O: Application Withdrawn: 14/07/21 - Outline Application with Some Matters Reserved: Demolition of the existing dwelling and garage and the construction of up to 4no. dwellings and a new access along with parking, landscaping and associated infrastructure (all matter reserved except for access). - 149 Main Road, Clenchwarton

12/00929/O: Application Refused: Committee: 04/09/12 - Outline Application: 2No new dwellings with alterations and retention of existing. - 149 Main Road, Clenchwarton, PE34 4DT - Appeal Dismissed 06/06/13

11/00944/O: Application Refused: Delegated: 28/07/11 - Outline Application - 2No new dwellings with alterations and retention of existing - 149 Main Road, Clenchwarton

08/00160/PREAPP: INFORMAL - Likely to refuse: 23/07/08 - INFORMAL REQUEST - Alterations and formation of 2 plots - 149 Main Road, Clenchwarton

RESPONSE TO CONSULTATION

Parish Council: NO RESPONSE

Highways Authority: NO OBJECTION

The point of access would be acceptable for a minor level of development and accords with standards for speed and traffic. At this outline stage therefore with only access to be determined I recommend conditions to ensure the construction of a satisfactory access, avoid carriage of extraneous material onto the highway, and in the interests of highway safety.

Internal Drainage Board: NO OBJECTION

Boards byelaws apply. Viability of proposed drainage strategy has not been evidenced by ground investigation to determine infiltration potential of the site.

Environment Agency: NO OBJECTION

It is for the Local Planning Authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk.

We have no objection to the proposed development but strongly recommend the mitigation measures set out in the submitted Floor Risk Assessment are adhered to.

Environmental Quality: NO OBJECTION

The existing garage building contains asbestos. Consequently, the development must be carried out in accordance with The Control of Asbestos Regulations (2012).

REPRESENTATIONS

None received

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations:

The principle of development.

Impact on character and appearance on area.

Impact on neighbour amenity.

Flood risk.

Other matters that require consideration prior to the determination of the application.

Principle of development:

The proposed development site lies within the development boundary for Clenchwarton, which is identified as a Key Rural Service Centre in Policy CS02 of the Core Strategy 2011. Within the development boundaries of settlements, Policy DM2 of the SADMPP 2016 states that development will be permitted provided it is in accordance with the other policies in the Local Plan. As such, the principle of development is acceptable.

Impact on character and appearance of the area:

Previously on this site permission was refused under planning ref: 12/00929/O for the erection of two new dwellings on the site with the existing dwelling retained. The scheme involved the two new dwellings set further forward with their backs facing Main Road. This was considered detrimental to the character and appearance of the area, and the application was subsequently dismissed at appeal. More recently 21/00226/O originally sought for up to 4 dwellings, however this was considered too many for the site and would have resulted in a cramped development. The proposal was reduced to 3 dwellings, however it was still considered the site was not capable of accommodating these dwellings. Prior to a delegated refusal of the application being issued, it was withdrawn. The current scheme is effectively a resubmission of the previous application so that it could be called-in to the Planning Committee.

Policy CS06 of the Core Strategy 2011 says that the strategy is for development to maintain local character and a high quality environment. Policy DM15 expands on this and states that the scale, height, materials and layout of development should respond sensitively to the local setting including the pattern of adjacent streets and gaps between buildings. Though an

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indicative layout is provided, this outline application does not contain formal details for the layout or appearance of the proposed dwellings. However, the impact of the proposed development on the character and appearance of the area insofar as its density can still be considered based on the site area and number of dwellings proposed. The proposed access road will be a significant constraint in the final design.

The character and appearance of dwellings along Main Road is varied, with a mix of bungalows and two-storey dwellings, however the dwellings all have generous plot sizes, resulting in a low overall density. It is considered the proposed development would be too cramped in this context for the reasons set out below.

The following figures are the approximate plot sizes for some of the immediate neighbours. No.1 Hall Road to the north is 1284Sqm and No.3 beyond that is 2083Sqm. No.147 Main Road to the east is approximately 765Sqm, and No.145 beyond that 617Sqm. Lastly, Rectory Main Road to the south is approximately 2104Sqm, and No.200 Main Road to the south is approximately 1502Sqm.

The proposed site area is approximately 1838Sqm in total. 426Sqm in the south-west corner of the site has been indicatively set aside as shared or public amenity space, separated from the dwellings by the proposed access road. This space is useful to maintain the verdant character of this part of Main Road and views into Clenchwarton Park and overcomes the heart of the issues from the previously dismissed appeal.

However, excluding the amenity land and the proposed access road from the area leaves approximately 1080Sqm of the site for the proposed dwellings and their private gardens. Taking a mean of the surrounding dwellings' plot sizes results in an average plot size of 1108Sqm (or approximately 9 D/Ha). By contrast, each of the proposed dwellings will have a plot size of approximately 360Sqm (or approximately 27.8 D/Ha). These plots will be significantly smaller and more cramped than the dwellings in the surrounding area.

Although indicative and not intended for formal assessment, the site plan submitted with this application shows 3 detached dwellings on site in a potential arrangement. It is considered the layout on the indicative site plan would be cramped and alternative layouts such as semi-detached or terraced arrangements would not overcome these issues due to the constraints placed on the site area by the access road.

As such, it is considered the proposed development would be cramped in appearance and have a detrimental impact on the character and appearance of the area. The development would fail to be sympathetic to the local character and will be contrary to Policies DM15 of the SADMPP 2016 and CS06 of the Core Strategy 2011.

Impact on neighbour amenity:

Policy DM15 of the SADMPP 2016 says that development should not adversely impact on the amenity of others. NPPF Paragraph 130 says that developments should create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

In order to fit 3 dwellings onto the site comfortably, the gaps between the proposed dwellings and the boundaries to the north and the east will be small. The dwelling to the north is No.1 Hall Road, which is a bungalow with several windows to habitable rooms along its south elevation. If a dwelling was constructed in the location shown on the indicative site plan, there would be a detrimental overbearing and overshadowing impact on this neighbour. While the submitted plan is indicative, it is considered such an impact would be highly likely to occur in any arrangement of 3 dwellings, due to the constrained site area. As such, it is

considered the proposed development would fail to meet the requirements of Policy DM15 and would not provide a development that has a high standard of amenity.

Flood risk:

The site lies in several different flood risk zones, including Flood Zones 2 and 3a. The Environment Agency has no objection to the development subject to compliance with the recommendations set out in the Flood Risk Assessment. However the EA's response does not consider the sequential or exception tests. That is the responsibility of the Local Planning Authority.

The majority of the Clenchwarton lies within Flood Zone 3a and there are no alternative sites at lower risk, therefore the development would pass the sequential test. However, following the sequential test, it is considered the development would fail the exception test, because it is not considered to represent sustainable development. The Borough Council can currently demonstrate it has a sufficient supply of housing land to meet the housing need identified for the district, and therefore, development of this site to the detriment of the character and appearance of the area and of the amenity of neighbouring occupiers would have limited sustainability benefits. Overall, it is therefore considered the limited sustainability benefits of providing up to 3 dwellings on this site does not outweigh the flood risks contrary to the NPPF and Policy CS08 of the Core Strategy 2011.

Other material impacts:

The level of traffic generated from the site would not have any significant adverse impact on highway safety at the existing access point onto Hall Road. The Local Highway Authority raise no objection subject to conditions. Lastly, although asbestos has been identified in the existing buildings on site, this is controlled under the Control of Asbestos Regulations 2012. There are no other significant contamination risks involved with this site and Environmental Quality do not object to the application.

CONCLUSION:

The site lies inside the development boundary for Clenchwarton and therefore it is considered the principle of residential development of the site is acceptable. However, the number of dwellings proposed and the constraints to layout imposed by the access road would result in a cramped scheme with much higher density than the surrounding spacious plots contrary to Policies DM15 of the SADMPP 2016 and CS06 of the Core Strategy 2011. In addition, it is considered that any arrangement of three dwellings would be likely to have a detrimental overbearing and overshadowing impact on No. 1 Hall Road to the north, further contrary to the objectives of Policy DM15 of the SADMPP 2016. Subsequently, it is considered the risk of flooding on the site would outweigh the limited overall sustainability benefits of providing 3 dwellings, contrary to Policy CS08 of the Core Strategy 2011 and the NPPF.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Policy CS06 of the Core Strategy 2011 says that the strategy in rural areas is for development to maintain the local character and a high quality environment. Policy DM15 of the SADMPP 2016 states that the layout of development should respond sensitively to the local character including the pattern of adjacent streets and gaps

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between buildings. NPPF Paragraph 130 adds that developments should be sympathetic to local character, including the surrounding built environment and landscape setting.

The size of the plots for the dwellings are cramped when compared with surrounding dwellings, resulting in a much greater density on this site, contrary to the character and pattern of development in the locality. Therefore the application is contrary to Policies CS06 of the Core Strategy 2011, DM15 of the SAMPP 2016 and contrary to the NPPF.

- 2 Policy DM15 of the SADMPP 2016 says that development should not adversely impact on the amenity of others. NPPF Paragraph 130 says that developments should create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Due to the spatial constraints of the development imposed by the proposed access road it is considered highly likely that the development would have any adverse overbearing and overshadowing impact on No.1 Hall Road to the north. Therefore, the development would be contrary to Policy DM15 of the SADMPP 2016 and contrary to the objectives of the NPPF.

- 3 The application site falls within Flood Zone 3a of the SFRA 2018 and passes the sequential test; therefore the exception test is required. It is considered the proposal fails the exception test because the impacts to the character of the area and residential amenity diminish the sustainability benefits of the development such that it would not outweigh the flood risk. Therefore, the proposed development is contrary to the NPPF and Policy CS08 of the Core Strategy 2011.