

AGENDA ITEM NO: 8/3(e)

Parish:	South Wootton	
Proposal:	2No. New Dwellings	
Location:	Land Accessed W of 90 Grimston Road And W of 4 & 6 Green Lane Grimston Road South Wootton Norfolk PE30 3NS	
Applicant:	MBN Property Developments Ltd	
Case No:	21/01004/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 10 August 2021 Extension of Time Expiry Date: 11 April 2022

Reason for Referral to Planning Committee – Parish Council comments at variance with officer recommendation and the application has been referred to Planning Committee by Sifting Panel

Neighbourhood Plan: Yes

Case Summary

The application site comprises a parcel of semi-pasture land, measuring approximately 2140 square metres and is situated to the west of Green Lane, South Wootton. The land is currently unused and is accessed via an existing track located on the southern side of Grimston Road.

Full planning permission is sought for the construction of 2 no. two storey dwellings. The site benefits from an extant Outline consent (20/01124/O – all matters reserved) for the construction of 2 no. dwellings.

The application site is within the development boundary outlined in both the Local Plan and the South Wootton Neighbourhood Plan (SWNP).

Key Issues

Principle of development;
Impact on Form and Character;
Impact on Neighbour Amenity;
Impact on Highway Safety;
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site comprises a parcel of semi-pasture land, measuring approximately 2140 square metres and is situated to the west of Green Lane, South Wootton. The land is currently unused and is accessed via an existing track located on the southern side of Grimston Road.

Full planning permission is sought for the construction of 2 no. detached two storey dwellings.

The site benefits from an extant Outline consent (20/01124/O) for the construction of 2 no. dwellings. A condition was imposed on the outline consent limiting the height of the approved dwellings to no more than 1.5 storeys, in the interests of the amenities of the locality.

The proposed dwellings are identical in scale and design but will be handed within their respective plots. They both comprise 4 bedrooms and are shown to have adequate on-site parking and turning to their frontages.

They have been designed with a hipped roof and the overall height of both dwellings is approximately 7.3m to the ridge and approximately 4.8m to the eaves. They each have a forward projection which is lower in height, measuring approx. 6.4m to the ridge, but have a matching eaves height to the main bulk of the property.

The proposed dwellings are orientated with their principle elevations facing west and are sited approx. 21m from the western boundary, accommodating the access, parking and turning areas. The private rear gardens measure approx. 12.4m. Plot 1 is sited approx. 1.8m from the northern site boundary; Plot 2 is approx. 1.5m from the southern site boundary and they have a separation distance from one another of approx. 3.4m.

A 1.8m close boarded timber fence is proposed to all boundaries of the site and between the new dwellings.

It is proposed to use 'Traditional Red Blend Mix' facing brickwork, dark slate coloured Clay Pantiles and uPVC windows and doors.

SUPPORTING CASE

No supporting case has been submitted with the application.

PLANNING HISTORY

20/01124/O: Application Permitted: 05/11/20 – DELEGATED - OUTLINE APPLICATION
ALL MATTERS RESERVED: Proposed 2No Dwellings - Land Accessed W of 90 Grimston Road And W of 4 & 6 Green Lane, Grimston Road, South Wootton

RESPONSE TO CONSULTATION

Parish Council: OBJECT -

The Parish Council still objects to this Planning Application as it does not adhere to the South Wootton Neighbourhood Plan under the following Policies:

H 3 Infill Developments

Infill plots or the sub-division of existing large gardens within the village development boundary may be acceptable where the character, due to building densities in the surrounding neighbourhood, is not compromised. It is felt that two large properties in this area is not suitable, they would create overlooking and loss of privacy to surrounding properties. The Parish Council would like to see proposals for bungalows.

H 2 Encouraging High Quality Design

Layouts for new development should be designed to the highest possible standard, taking account of the characteristic of the village, and dependant on site size.

- make sensitive use of natural landscape.
- provide for sustainable water management and run-off from rainfall recognising the current increased incidence of higher than average rainfall.
- incorporate Sustainable Drainage Systems where appropriate.

The Parish Council does not feel that 2, large two storey properties are appropriate for this area.

Policy E1 – Landscape

Woodland and tree belts, the quality of existing residential areas amongst mature trees, and hedgerows shall be protected during the development period and retained as part of local distinctiveness, and, where appropriate, should be enhanced as part of any adjacent development.

The Parish Council would like to see hedgerows and mature trees protected.

Highways Authority: NO OBJECTION subject to conditions relating to upgrading the access to NCC standards; the removal of PD rights for gates etc across the access; and the laying out of the on-site parking and turning area.

Environmental Health & Housing – Environmental Quality: NO COMMENT

Natural England: NO COMMENT.

REPRESENTATIONS

EIGHT representations received from local residents **OBJECTING** on the following grounds:

Highway safety: -

- Increase traffic;
- Potential accidents;
- Suitable turning circle for a fire engine;
- Passing place.

Impact on Amenity: -

- Bedrooms will now be within 2 metres of the new access road;
- This distance is not acceptable;
- Overlooking;
- Impacted view / outlook;
- Impact on the comfort of neighbouring homes and gardens;
- Why can't 2 bungalows be proposed

- Resulting in increased noise and disruption;
- New homes within this small field area would tower over my garden;
- Garden would feel very enclosed;
- Green Lane is a very quiet, private and peaceful road;
- Enjoying listening to the birds, watching the deer and other animals roam the land;
- Impact natural sunlight into home and garden;
- There is only 12.5 metres distance between the rear of the new builds and the fence to the rear of numbers 4 and 6 Green Lane, not 30m;
- A total of only 25.1 metres from the rear of the proposed dwellings to neighbouring dwelling;
- Construction noise;
- Construction workers entering site via Green Lane;
- Bonfire smoke;
- Radio on very loud disturbing both local residents as well as wildlife;
- Debris being piled up along the fence line and with heavy rain some has now slumped down inside my boundary line;
- machinery parked within a few metres of our house each night;
- Surely this is a fire hazard;
- Exhaust fumes fill our bathroom and bedroom;
- Condition 5 of 20/01124/O stated that the properties shall be no more than 1.5 storeys;
- In no way does the amended roof pitch soften the impact of being overlooked from upper storey windows;
- The new developments should be restricted to 1.5 storey
- Request a condition that all 2nd storey windows overlooking the 1 and 1.5 storey building to the east and south-east (Green Lane) be fitted with obscured glass.

Landscape: -

- Would like assurances that any new fencing would be installed on the actual line of the old wire fencing which has long been in non-existent state;
- The hedge should not be cut back to our newly installed fence line;
- The new access road will remove all of green field site and associated hedging;
- The site has only ever been used for agricultural purposes;
- Grazing by small numbers of livestock;
- Therefore this is currently a greenfield site and should thus remain so;
- Would be a change of use of 'green space amenity';
- The 1997 Hedgerow Protection Act would require an application for the removal of hedging that is well over 30 years old;
- The most valued in the British countryside by native species (Hawthorn), brambles;
- there is also an Ash tree which may be in danger of loss;
- The machinery being used is damaging trees and hedgerow;
- A mature apple tree located on the plot and hedging between the front of the new developments and the access lane has been removed over the past week.

Wildlife: -

- Substantial wild hedging with extensive wildlife;
- Detrimental effect of the local wildlife that currently use the area;
- Flora and fauna;
- Currently able to enjoy this space and the animals living within it;
- Refer to the South Wootton Neighbourhood Plan 2015-2026 Section 7.1 Policies For The Environment -Corridors for Wildlife etc;

- The area concerned has always maintained a healthy/thriving population of Hedgehogs;
- Hedgehogs have recently been classed as an endangered species;
- This proposal would only add to the likelihood of their extinction in this country;
- The destruction of this well-established habitat cannot be compensated for by the creation of new elsewhere;
- Appears to have displaced the wildlife normally seen this time of year;

Drainage: -;

- Where will the drainage from the new access road / paths go to?
- Already experience surface water flooding;
- Increase localised flood risk

Form and Character: -

- Green lane is small private road which consists of only bungalows;
- The village is fast losing identity;

Other: -

- New homes at knight's hill - why do we need more;
- Site plan & location map continue to be incorrect as does not show the correct extent of building works carried out to our property and adjacent properties;
- Suggest a less than professional planning application process;
- and lack of site assessment;
- Raises questions as how compliance to the proposed development will be enforced i.e. the proper construction of an entry/exit point at the junction with Grimston Road.

ONE representation received with **NEUTRAL** comments, as follows: -

- Enquires what has been proposed in relation to the existing boundaries either side of the access road to the new properties;
- In the past the previous owner kept the boundaries regularly cut back and down to an acceptable height;
- As of late this has not taken place and the boundaries are now in a bad state;
- The hedges are very very old and unruly and very quickly get out of control;
- Will the new owner be taking out these boundaries and replacing them with new strong fences?
- If not what are they proposing as regards their upkeep?

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

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

DM22 - Protection of Local Open Space

NEIGHBOURHOOD PLAN POLICIES

Policy H1 - Growth Areas

Policy H2 - Encouraging High Quality Design

Policy H3 - Infill Developments

Policy H4 - Local Character

NATIONAL GUIDANCE

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

National Design Guide 2019

PLANNING CONSIDERATIONS

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

- Principle of development;
- Impact on Form and Character;
- Impact on Neighbour Amenity;
- Impact on Highway Safety;
- Other Material Considerations

Principle of Development:

The site is located within the development boundary and the principle of development on the site was established through the granting of outline consent (20/01124/O) in November 2020.

However, the outline consent restricted the new dwellings to be no more than 1.5 storeys in height and the current application proposes two storey properties. As such, consideration is given as to whether two no. two storey dwellings would be acceptable on the site.

Form and Character:

The application site is served by an existing access off Grimston Road, via a long narrow track to the west of No. 90. The site is located behind and to the south of the linear development of Grimston Road and directly to the west of Nos. 4 and 6 Green Lane.

The general character of the area is mixed. The immediate vicinity comprises two storey detached dwellings to the north on Grimston Road and to the west on Stody Drive, and bungalows and 1.5 storey dwellings on Green Lane.

In terms of the visual impact, the proposed dwellings, given their modest height 7.3m would not be overly visible from the main road given their siting behind 90 Grimston Road and the existing screening afforded from mature roadside trees.

Nonetheless, any glimpses of the new dwellings will be seen in context with the two storey properties fronting Grimston Road and those in the background on Stody Drive and beyond.

Policies H.2, H.3 and H.4 of the South Wootton Neighbourhood Plan (2015-2026) requires that new development takes into account the character of the existing village. Whilst the proposed dwellings will back onto Green Lane to the east which comprises smaller scale properties, the proposal is considered to accord with the prevailing context and local character of the wider area.

As such it is considered that the proposed development for 2 x two storey dwellings relates adequately to the building characteristics of the area, in terms of scale, density, layout and access, in accordance with Local Plan Policies CS08 and DM15 and the provisions of the NPPF, in particular section 12.

Neighbour Amenity:

The principle of residential development on the site was deemed acceptable in the granting of outline consent. It was considered that given the orientation of surrounding dwellings, the proposal would be unlikely to lead to adverse impacts on neighbouring dwellings. However, given that the dwellings to the immediate east of the proposed plots comprise single storey or chalet bungalows, it was considered necessary to restrict the scale of future development to no more than 1.5 storeys, to limit the potential impact on those adjoining properties and in order to accord with the SWNP.

Policy H.3 of the SWNP states that 'the proposed development would not have significant harmful impacts on the amenities of surrounding residential properties and other activities.'

The condition restricting the development to 1.5 storeys on the outline consent, arose as scale and appearance was not considered as part of the original application. However, the current application is for full planning permission enabling a thorough assessment of the proposal on site. When considering the separation distances involved, together with the fact that the applicant has reduced the height of the new dwellings by 1m, it is not considered that the proposed dwellings would cause significant harmful impacts on the amenities of surrounding residential properties, in accordance with the abovementioned Neighbourhood Plan Policy.

The overall height of the proposed dwellings is 7.3m and 4.8m to the eaves. 1.5 storey dwellings can easily be of a similar height, and certainly upper floor windows within a chalet style bungalow are often at the same height as the first-floor windows of the proposed development. The proposed dwellings would be sited approx. 12.4m from their eastern boundaries. No.4 Green Lane is sited approx. 12.2m from the shared boundary and No.6

approx. 16.8m from its western boundary adjoining the application site. That equates to a total separation distance of between 24.6m and 29.2m between the rear elevation of the new dwellings and that of the adjoining neighbouring dwellings which is fully acceptable in planning terms.

The proposed dwellings would also be sited approx. 21m from the western boundary of the site and the properties adjacent on Stody Drive are a further 10m from that boundary.

The separation distances involved, combined with the height reduction and the roof configuration being hipped, would further reduce the mass of the development and any subsequent impact.

In terms of third party comments, it is acknowledged that the occupants of Green Lane, particularly Nos. 4 and 6 have become accustomed to uninterrupted sunlight and view over the parcel of land, and that the introduction of two new dwellings will result in a degree of impact. However, any impact would also be experienced from the development of 1.5 storey dwellings.

In respect of the view, there is no 'right to a private view' that the planning system should protect. The Planning System is in place to protect the public interest. Therefore the loss of a view is not a material planning consideration and thus does not warrant refusal of the application. Nonetheless, the level of impact on outlook from a neighbouring property is a material consideration.

The properties on Green Lane are sited to the east of the proposed development, meaning they will still benefit from sufficient natural light given the direction of the sun. Taking this into consideration, together with the separation distances involved, it is your officer's opinion that any resulting impact on the amenities of neighbouring residents, in terms of loss of light, overshadowing, overlooking or overbearing impact, would not be so detrimental as to warrant refusal.

The Agent has shown the BRE guidance IP 5/92 for over shadowing on the site section plan submitted, which demonstrates that there will be no material impact.

It is therefore considered that the proposal accords with the Local Plan Policies CS08 and DM15, the provisions of the NPPF, paragraph 130, and the SWNP Policies. The comments of third parties cannot therefore be supported.

Highway Safety:

Whilst a reserved matter, in principle the use of the existing access off Grimston Road was considered to be acceptable at outline stage.

As part of the current application, it is proposed to upgrade the existing track to NCC standards and provide a minimum distance 4.5m for the first 10m. This would be conditioned.

Following the submission of amended plans showing the access drive central to the existing track; the upgrade of the turning head to serve the new dwellings and to accord with fire appliance standards; and provision of adequate parking for up to three spaces per dwelling, the Local Highway Officer raises no objection to the current application on highway safety grounds.

The proposal therefore complies with Policies CS08 and CS11 of the Core Strategy and Policy DM15 of the SADMPP.

Other Material Considerations:

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.

Landscape Character: -

In regard to the loss of agricultural land and the impact on wildlife, the principle of the development of two dwellings was established by the outline consent. The application site is located within the development boundary and it was considered that the change of use to residential and subsequent loss of green space would be acceptable in principle. The loss of this small parcel of private agricultural land, bordered on all sides by residential development of a fairly significant nature, was not deemed to pose an impact that would warrant refusal of the application.

The application site is not identified as an important green space or site with landscape character in the proposals map within the SWNP which requires to be protected during development.

However, given the nature of the site, and the fact that it would have a degree of biodiversity value, any loss can be compensated for by replacement planting, and as such a landscaping condition is recommended, in accordance with Policy E1 of the SWNP and the provisions of the NPPF.

Furthermore, notwithstanding the fact that the submitted plans indicate a 1.8m close boarded timber fence to be erected to all boundaries of the application site, details of such will be conditioned in order to ensure that 'wildlife corridors' are included within the design.

It is therefore considered that the proposal complies with Local Plan Policies CS12, DM22, section 15 of the NPPF and the abovementioned SWNP Policy.

Third Party Comments: -

All third party representations have been taken into full consideration in the recommendation of this application, majority of which have been addressed above in the report.

Some matters raised are principle issues which would have been addressed at outline stage and as such are not relevant in the determination of the current full application.

In regard to the noise during construction, given the scale of the proposed development, it is not considered necessary or reasonable to impose conditions restricting construction hours.

In relation to concerns regarding vehicle noise along the access track, it currently provides unrestricted agricultural use and it was not considered that its use to serve two dwellings would result in any material harm during the determination of the outline application.

However, it is acknowledged that the access track is in close proximity to the side and rear elevations of adjoining dwellings to the west, therefore a condition is recommended for details of the surfacing materials to be submitted to limit any noise and disturbance to neighbouring residents.

Drainage is a principle issue which would have been controlled at outline stage if it was considered to be a material issue. It is reasonable to expect a development of the scale proposed will adequately connect to the mains drains and dispose of surface water by soakaway, which is confirmed within the application form.

In response to concerns over incorrect measurements of neighbouring gardens and the separation distance involved; the initial 30m separation distance was quoted because measurements were taken from the location map submitted and shows No. 4 before it had been altered / extended. On reviewing an updated plan, the true measurements of 24.6 and 29.2 have been reflected above in the report.

In terms of the out of date location plan, it would have been taken from an old OS Map and the Agent is not obligated to show an updated plan of surrounding properties, only for the purposes of the application site.

CONCLUSION:

Decisions should be made in accordance with the development plan unless material considerations indicate otherwise. The main issue is whether the construction of 2 no. two storey dwellings would be appropriate on the site notwithstanding the restrictive height condition on the original outline consent.

It is your officer's opinion that the proposed two storey dwellings would cause no material impact to residential amenity to the extent that would have a significant harmful effect on their living conditions, due to the modest height of the proposed houses and satisfactory separation distances involved. Furthermore, it is considered that the proposed two storey dwellings are in keeping with the local context and prevailing character of the area.

It is therefore considered that the proposal accords with Local Plan Policies CS08, CS11, CS12, DM15, DM17 and DM22; the provisions of the NPPF and the SWNP Policies E1, H1, H2, H3 and H4.

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: 1463-13B (Proposed site and Location Plan); 1463-11B (Proposed Plot 1); and 1463-12B (Proposed Plot 2).
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include

planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 3 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 4 Condition Notwithstanding the details on the submitted plans, 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. 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.
- 4 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 Condition Prior to the first occupation of the development hereby permitted the vehicular access indicated for improvement shall be upgraded (widened) to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction TRAD 2 specification for the first 10 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 5 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 and traffic movement.
- 6 Condition Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 6 Reason In the interests of highway safety.
- 7 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking / turning area shall be laid out, levelled,demarcated,surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 7 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.