

Parish:	Ingoldisthorpe	
Proposal:	Construction of dwelling on Plot 12	
Location:	12 Davy Field Lynn Road Ingoldisthorpe PE31 6TR	
Applicant:	J Sehgal	
Case No:	22/02135/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 15 February 2023 Extension of Time Expiry Date: 28 April 2023

Reason for Referral to Planning Committee – Parish Council object and referred by Sifting Panel

Neighbourhood Plan: No

Case Summary

The application site is located Ingoldisthorpe which is classified as a rural village within Policy CS02 of the Core Strategy 2011. The plot is located within the southern corner of a previous approved residential development. The plot is positioned within the defined settlement boundary for the village which currently consists of three distinct parts, the largest being centred around the junction of Hill Road with Lynn Road.

The plot was granted permission for the erection of a self-build dwelling under application 18/02200/RMM and categorised as house type 'C3'.

The site is not located within a Conservation Area, Area of Outstanding Natural Beauty or within close proximity to any listed buildings.

The proposal seeks permission for a new two storey dwelling on plot 12. The appearance of the dwelling is similar to that previously agreed and complies with the design code agreed under 18/02200/RMM. The application has been amended since its original submission removing the proposed external staircase.

Key Issues

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site is located within the Ingoldisthorpe settlement boundary and is positioned adjacent Lynn Road.

The site already has permission for the siting of a new dwelling which was approved under 18/02200/RMM as part of a larger self-build residential development. The current application proposes an amended design incorporating an increased ground floor with roof terrace above as well as changes to the fenestration. The originally proposed external staircase has been removed from the application.

The proposed dwelling would measure 9.4m in height, 12.5m in width and 13.7m in depth and would be constructed from red brick, carrstone and black timber cladding.

The site would provide 3no. parking spaces for occupiers and the dwelling would incorporate 4no. bedrooms.

PLANNING HISTORY

18/02200/RMM - Permitted - Reserved Major application: Residential development and new public amenity area (Committee)

18/02200/NMAM_2 - Permitted - NON-MATERIAL AMENDMENT of Planning Permission 18/02200/RMM: Residential development and new public amenity area (Delegated)

20/01174/F - Permitted - REMOVAL OR VARIATION OF CONDITION 9 OF PERMISSION 18/02200/RMM: Reserved Major application: Residential development and new public amenity area (Delegated)

18/02200/NMAM_1 - Permitted - Non-material amendment to planning permission 18/02200/RMM: Reserved Major application: Residential development and new public amenity area (Delegated)

RESPONSE TO CONSULTATION

Parish Council: OBJECT on the following grounds:

The NPPF states at paragraph 126 that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It goes on to state at paragraph 136 development that is not well designed should be refused.

Policy CS08 of the Borough Council's Core Strategy similarly recognises that good design is a key element of sustainable development.

Policy DM 15 - Environment, Design and Amenity supports Policy CS08 and also recognises that development proposals should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents.

The proposal put forward for Plot 12 continues to include a large glazed screen veranda stretching the length of the first floor accessed by way of a central metal staircase, overlooking neighbouring properties and gardens.

The proposal has a very negative impact on the amenity of existing neighbours, with a complete loss of privacy and reduced security.

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Policy DM 15 - states that proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

- Overlooking, overbearing, overshadowing;
- Light pollution; and
- Visual impact

The scale of the glazed veranda is over-bearing and completely out of context with this semi-rural location. It adds nothing to the quality of design of this new development, but rather detracts from approach of neighbouring properties.

Light pollution from such a large, glazed structure will reduce the amenity enjoyed by adjacent properties and could also be detrimental to local wildlife including protected species such as bats. It is still difficult to understand why a six-foot fence has been required between properties, when this proposal removes all privacy for neighbours.

Overall, the amended plans for this new property don't add anything in terms of the character and setting of the development. The proposal appears to maximise limited development potential with inappropriate proposals, at the expense of the long-term amenity of other residents. For all the reasons set out above the Parish Council urge that this proposal be rejected.

Highways Authority:

Access, with the public highway, for this development would be covered under previous planning applications and as far as the layout is concerned for plot 12, a condition requiring the proposed access/onsite parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Environmental Quality Officer:

The applicant has provided a screening assessment stating no known contamination. We have reviewed our files and the site is on land not seen developed for the duration of our records. The surrounding landscape is largely residential or undeveloped. The applicant should be aware that property is in an area where Maximum radon potential is 10-30 %. We recommend the applicant seek advice from Building Control.

No potential sources of contamination are identified in our records, or in the information provided by the applicant. We have no objection regarding contaminated land.

Housing Development Officer:

No objections

REPRESENTATIONS

A total of **3 REPRESENTATIONS** have been received expressing concerns regarding the amended design of plot 12.

The objections state that the proposed roof terrace would overlook the neighbouring property to the east, resulting in a loss of privacy to occupiers.

The comments also raised concerns regarding potential light pollution as a result of the proposed roof terrace as well as possible noise disturbance created by users of the terrace.

Objectors also voiced worries regarding the scale of the proposed extension and terrace and stated that the additions were out of keeping with the host property and surrounding dwelling.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

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- Principle of development
- Form and character
- Impact on neighbour amenity
- Other Matters

Principle of Development:

The application site is located within the settlement boundary of Ingoldsthorpe which is designated as a Rural Village within the Site Allocations and Development Management Policies Plan 2016 (SADMPP).

The plot is located within an existing residential development and is positioned within the southern corner of the plot.

Permission for a dwelling on the site was previously granted under application 18/02200/RMM. This application granted approval for 12no. self build dwellings and incorporated a design code for all dwellings approved. The design code was agreed for all materials and fenestration. Therefore, the principal of development has already been established and is considered to comply with policy DM2 and DM15 of the Site Allocations

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and Development Management Policies Plan 2016 (SADMPP) and policies CS06 and CS08 of The Core Strategy 2011.

Form and Character:

In this case, planning permission is sought for the erection of a two storey, 4no. bedroom dwelling.

Permission for a dwelling on the plot was previously granted under application 18/02200/RMM however, the dwelling incorporated a slightly different design.

The current application proposes a detached dwelling measuring 9.4m in height, 12.5m in width and 13.7m in depth. A new ground floor extension is proposed to in fill a corner of the dwelling. The addition would measure 3m in height, 5.9m in width and 4.9m in depth with a terrace positioned above (expanding the whole width of the extension and originally approved dwelling). The terrace would measure 12.5m in width and 4.9m in depth and would serve bedrooms 2 and 3.

The current design slightly differs from the originally approved dwelling with alterations including the removal of glazing on the eastern ground floor elevation, changes to the proposed second storey dormer windows and the removal of a Juliette balcony on the front elevation of the previous approval.

The proposed dwelling is considered to be of an acceptable scale, design and form that incorporates materials that appear in keeping with the host dwelling and surrounding properties. The proposed design also complies with the approved design code for the whole site.

The proposed design only slightly differs from the previous permission and the site's design code, with the biggest change being the addition of a first-floor terrace, however, this is positioned on the rear elevation of the dwelling. Although the property can be viewed from the street scene however, the proposed design is not considered to have a detrimental impact given the other examples of balconies and terraces within the development site.

It is also noted that permitted development rights were not removed from the original permission meaning that if the fallback position was implemented, the applicant could potentially build a larger extension which could incorporate two storeys.

The proposed dwelling is of an appropriate scale and would not appear overbearing in relation to the neighbouring properties. Examples of balconies and first floor terraces can also be seen on neighbouring properties within the site; therefore, the proposal complies with policy DM15 of the SADMPP 2016.

Impact on Neighbour Amenity:

The application site allows for a sufficient separation distance of 1.5m to the east, 8.1m to the south and 1.2m to the west. The plot is enclosed by close boarded fencing which would partially screen the proposed ground floor addition.

The proposed dwelling is positioned slightly further back into the plot, however, given the orientation of the site and the scale of the property (set against properties of the same scale), the development is not considered to result in an unacceptable level of overshadowing or loss of light.

Concerns were raised by objectors regarding noise disturbance generated from the use of the proposed terrace. Whilst this is noted, the terrace would act as an amenity area for the

property similar to that of a garden, therefore, we cannot restrict the noise levels or the use of the terrace.

The Parish Councils comments are noted regarding potential overlooking, however, the proposed terrace would incorporate a privacy screen on the east and west of the dwelling measuring 1.7m in height, which would incorporate obscure glazing to prevent any potential overlooking (this would also be secured via a condition)

Due to the glazed screens, views from the terrace would be focused mainly to the south, into the applicants own private amenity space. The ground floor window serving the living area on the east elevation would be screened by the boundary fence and there are no windows positioned at first floor. There are no residential properties located to the south or west of the plot, with a dwelling located immediately to the east.

Therefore, the proposed dwelling is not considered to have a detrimental impact on residential amenity and the proposed terrace screening would sufficiently protect the neighbouring property from the loss of privacy and therefore, the development complies with policy DM15.

Other Matters:

Highway Safety:

The application site would be accessed via Hill Road and Lynn Road. The plot provides 3no. off road parking spaces in accordance with the Parking Standards for Norfolk 2020.

Ecology:

The original permission for this plot was granted under 18/02200/RMM which was supported by Biodiversity Management Plan. A condition would be added requesting a lighting scheme for outdoor lighting to be submitted prior to the first occupation. This would prevent light pollution and potential impact on bats.

CONCLUSION

Overall, the proposed development is considered to be of an acceptable scale, design and form which incorporates appropriate materials and resembles elements of the sites design code.

The proposed terrace would incorporate sufficient screen to prevent any overlooking or loss of privacy for the neighbouring property and the development as a whole would not have a detrimental impact on residential amenity. Therefore, the proposal is considered to comply with policy DM15 of the SADMPP 2016 and policy CS08 of the Core Strategy.

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 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:

542-11 C PROPOSED SITE, LOCATION PLAN, PROPOSED FLOOR PLANS AND ELEVATIONS Received 09.02.2023

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Before the first occupation of the building hereby permitted a 1.7 metre high obscurely glazed screen shall be erected to the east and west side of the terrace in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The 1.7 metre-high screen to the east side of the terrace and the other screens shown on the approved plan shall thereafter be retained in perpetuity in the locations shown.
- 3 Reason: To protect the residential amenities of the occupiers of nearby property.
- 4 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 5 Condition: Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works 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.
- 5 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 6 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 6 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 7 Condition: The brick/stone to be used for the external surfaces of the building hereby approved shall be constructed in accordance with a sample panel prepared on site for the inspection and written approval of the Local Planning Authority. The sample panel shall be at least 1m x 1m and show the proposed material, bond and pointing technique to be used in the approved scheme.

- 7 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 8 Condition: Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be 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 approved scheme and thereafter maintained and retained as agreed.
- 8 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.