

Parish:	Brancaster	
Proposal:	Demolition of existing bungalow and provision of and new dwelling	
Location:	Ternstones Main Road Brancaster Staithe King's Lynn	
Applicant:	Mrs H Bright	
Case No:	17/00876/F (Full Application)	
Case Officer:	Mr Philip Mansfield	Date for Determination: 10 July 2017

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

Case Summary

The application site relates to a dwelling on the northern side of Main Road in Brancaster Staithe.

The proposal is to demolish the existing bungalow ‘Ternstones’ and construct a new two-storey dwelling. The proposed access would remain unaltered to that which serves the existing property.

The National Planning Policy Framework 2012, the King’s Lynn and West Norfolk Core Strategy 2011, the King’s Lynn and West Norfolk Site Allocations and Development Management Policies Plan 2016 and the Brancaster Parish Neighbourhood Plan 2015-2026 are relevant to this application.

The site is within the AONB.

Key Issues

- Principle of Development
- Form and Character and amenity
- Highways
- Other considerations

Recommendation

APPROVE

THE APPLICATION

The site comprises a red brick detached bungalow which has previously been extended and refurbished. Vehicular access is from Main Road, and comprises a narrow passage between

neighbouring dwellings to the west and a detached garage on the opposing side. The site features close boarded fencing to the front and substantial hedging along the boundaries.

The application seeks to replace the existing bungalow with a contemporary, two storey four bedroom dwelling. The proposed access would remain the same as per the existing arrangement.

A pre-application request was submitted to the local authority last year in which it was recommended that such a scheme would likely gain officer support subject to some minor amendments regarding the proposed balcony.

SUPPORTING CASE

Brancaster Staithe is a rural village situated on the A149 King's Lynn to Cromer coastal road. It is located within the Norfolk Coast Area of Outstanding Natural Beauty and is one of a number of coastal settlements that has developed in a linear pattern along this route.

The proposal is to replace a bungalow with a new modern two storey dwellinghouse sited in the middle of the plot.

The proposal would feature a modern design in terms of form and character which would vary from that of the traditional dwellings located in the surrounding area. It would however be located behind the main build line and therefore largely obscured from the main thoroughfare through the village which would lessen the impact in terms of visual amenity.

In response to the Parish Council objections:

Neighbourhood Plan: The proposed dwelling would be a two storey, four bedroom property which would comply with the Brancaster Neighbourhood Plan. The demolition of the existing property is not thought to be an issue as it does not have any statutory listing or significance from a heritage viewpoint.

Conclusion: The proposal is considered to comply with national and local planning guidance.

PLANNING HISTORY

14/00165/F Extensions to existing dwelling PER - Application Permitted

RESPONSE TO CONSULTATION

Parish Council - OBJECTION:

The response received raised the following issues:

- Concerned over demolition of Ternstones
- Issue over perceived Parish Boundary
- No reference to the Neighbourhood Plan
- Many issues have to be resolved before this can be acceptable

Further comments have been requested in order to clarify the specific concerns with the proposal.

Highways Authority: - NO OBJECTION - subject to conditions

Natural England – NO OBJECTION:

Environmental Quality – NO OBJECTION: - subject to conditions

Environment Agency – NO OBJECTION:

Norfolk Coast Partnership – No Observations:

REPRESENTATIONS There were **six** letters of **OBJECTION** from neighbouring properties which are summarised as follows:

- Design & Character-out of keeping with the surrounding area
- Residential Amenity- overlooking neighbouring dwellings
- Loss of trees- impact to screening of the site
- Materials- out of character with the area
- Overdevelopment of the plot
- Access
- Damage to neighbouring properties
- Flood Risk
- Height of the proposed dwelling
- Noise and disturbance

NATIONAL GUIDANCE

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

LDF CORE STRATEGY POLICIES

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

PLANNING CONSIDERATIONS

- Principle of Development
- Form and Character and Amenity
- Highways

- Other considerations

Principle of development:

The proposal seeks the demolition of the existing property and its replacement with a new dwelling.

The site is outside the development boundary for Brancaster Staithe and as such proposals will be assessed against policy DM5- Enlargement or Replacement of Dwellings in the Countryside. It is located within an Area of Outstanding Natural Beauty (AONB) in which the relevant policies have been considered below.

The principle of a replacement dwelling is acceptable and the loss of the existing dwelling in this case would not warrant an objection.

In terms of the KLWNBC Core strategy 2011:

Policy CS07 specifically refers to new development enhancing the distinctive local character of coastal areas as well as helping to support and enhance services and facilities for local people and visitors.

Policy CS12 advises that proposals to protect and enhance the historic environment and landscape character will be encouraged and supported.

In terms of the Site Allocations and Development Management Policies Plan 2016:

Policy DM5 states that proposals for replacement dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.

Policy DM15 (environment, design, amenity) states that development must protect and enhance the amenity of the wider environment including its heritage and cultural value and that proposals will be assessed against their impact on neighbouring uses and their occupants. Furthermore, proposals will be assessed against a number of factors including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

In terms of the Brancaster Neighbourhood Plan:

Policy 1 (Size of Houses) states that new dwellings should be a maximum of two storeys in height and that the provision of smaller dwellings of up to three bedrooms will be encouraged. It also states that dwellings with five bedrooms or more will be allowed in the case where evidence is provided that this is needed to provide the main residence of a household with long standing residency in the Parish.

Policy 2 (Design, Style and Dwellings) states that any new dwelling in the area should be carefully designed to blend in with adjacent properties to maintain the character of the village. The use of traditional materials is to be encouraged.

Policy 5 (Replacement Dwellings) states that replacement dwellings should occupy no more than 50% of their plots.

Form and Character and Amenity:

The site lies in the coastal settlement of Brancaster Staithe accessed by a narrow passage adjacent to the A149. The surrounding area is predominantly residential in character with a number of dwellings of local vernacular comprising pantiles and carrstone.

The proposed replacement dwelling is distinctively different in character from the adjacent C20th century dwellings and is more akin to modern styles of architecture. The design incorporates a gable roof form with materials comprising cobbles and brick in addition to weather boarding. A rear balcony is also proposed that would extend the width of the north elevation.

The site is located within an Area of Outstanding Natural Beauty (AONB). Although views of the existing property are limited from the main road to the south, the site is visible from the coastal footpath public right of way which runs along the northern boundary of the site. However the design has incorporated measures to reduce the visual impact by virtue of the low pitch of the rear projecting gable and accommodating the upper floor rooms within the roof formation. Whilst the proposed dwelling is greater in scale from that of which it seeks to replace, it is not considered the proposed development would have an adverse effect on the landscape characteristics of the AONB setting to warrant a refusal of planning permission.

While the overall design of the proposal differs to that of some of the neighbouring properties in the surrounding area, the use of traditional materials in the form of slate and cobbles, particularly on the elevation viewed from the street, provides balance with the more contemporary elements. The siting of the proposed dwelling behind the main build line would also mean the design would not be immediately evident in the context of the streetscene. When viewed in relation to the Brancaster Neighbourhood Plan it is the case the proposed dwelling would be a two storey, four bedroom unit with a plot coverage no more than 50% which would accord to the provisions of this plan.

Members will need to consider whether the proposal accords with NP Policy 2 and whether it is carefully designed to blend in with adjacent properties to maintain the character of the village.

Policy DM15 states that proposals will be assessed against their impact on neighbouring uses and their occupants including overbearing, overshadowing, noise and visual impact and development that has a significant adverse impact on the amenity of others or which is of poor design.

A number of comments were received with respect to the impact to neighbour amenity. While the proposal would be greater in scale than the existing bungalow by virtue of the two storey design, the distance retained and configuration of the plot would lead to a view it would not overshadow or amount to an overdevelopment of the site which would adversely affect neighbour amenity. Concern has been raised with regards to overlooking neighbouring properties. The principal windows and balcony would be concentrated to the north elevation which would be looking towards the coast and therefore not thought to be harmful in terms of overlooking neighbouring properties. While the dwellings located to the north east have been noted, the assessment has taken account of the orientation and distances involved in which overlooking is not considered to be at a level warranting a refusal of consent. The side facing windows as part of the east and west elevations would overlook neighbouring gardens but given the depth of these gardens and distance from the dwellings it is not thought this relationship would negatively impact adjacent residents. A screen would be positioned on the eastern side of the balcony which would prevent any undue harm in terms of overlooking.

Highway Issues:

This is a replacement dwelling and NCC Highways expressed no objections subject to conditions.

Other Considerations:

The Environment Agency has expressed no objections with respect to flood risk. The submitted details indicate that no significant trees would be lost as a result of the proposed development. The issue of damage to neighbouring properties was raised which would not be a material planning consideration.

It is unclear what the issue raised about the perceived parish boundary is and the applicants have made reference to the Parish Plan in their submission.

CONCLUSION:

The proposal is a new, two storey dwelling in place of an existing bungalow.

The principal issue rests on whether the proposed design approach would be acceptable in the context of the location. Such a design would be distinctive from that generally found in the surrounding area. The modern design however has been considered in relation to the site characteristics in which the dwelling would be set back behind the build line and would be relatively secluded from the A149. In addition, although greater than the original property, the proposed height and massing would respect the surrounding area and is thought to be acceptable. The use of slate and flint are also features of the village, and they will be prevalent on the south (street) elevation.

In terms of neighbour amenity, the proposal is not considered to be harmful in terms of being overbearing or overlooking neighbouring dwellings.

The proposal is considered generally to accord with policies DM1, DM5 and DM15 of the Development Management Policies Plan 2016, The Brancaster Parish Neighbourhood Plan 2015-2026 and the provisions of the National Planning Policy Framework 2012 and is sustainable development. It is therefore recommended for approval.

RECOMMENDATION:

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 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 plan:

Proposed elevations drawing no 16-1400-01, proposed site plan drawing no 16-1400-03
- 2 Reason For the avoidance of doubt and in the interests of proper planning.

Planning Committee
31 July 2017

- 3 Condition Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 4 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

This also needs to be a pre-commencement condition given the fundamental details linked to asbestos containing materials which need to be planned for at the earliest stage in the development.

- 5 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 6 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and D of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 6 Reason In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 7 Condition Notwithstanding the approved plans, prior to the first occupation of the proposed dwelling, full details of the proposed screen shall be submitted to and approved in writing by the local planning authority. The screen shall be constructed in accordance with these details and thereafter retained in perpetuity.
- 7 Reason To protect the residential amenities of the occupiers of nearby property.

- 8 Condition No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 8 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.