

AGENDA ITEM NO: 8/1(a)

Parish:	Brancaster	
Proposal:	Demolition of existing bungalow and construction of new house	
Location:	Dorosal Marsh Side Brancaster King's Lynn	
Applicant:	Mr David Marshall	
Case No:	15/00701/F (Full Application)	
Case Officer:	Mrs K Lawty Tel: 01553 616403	Date for Determination: 6 July 2015 Extension of Time Expiry Date: 3 August 2015

Reason for Referral to Planning Committee – Councillor Mrs Watson called the application to the Planning Committee; Parish Council objection.

Case Summary

The site consists of a detached, single storey dwelling and associated garden, within a short row of dwellings on the eastern side of Marsh Side, Brancaster.

The site is located within a predominantly residential area. To the north is garden area to the row of cottages on Marsh Side, to the east are dwellings and gardens set within a courtyard development accessed from the Main Road, to the south are two storey, detached properties and associate gardens and to the west, on the opposite side of the road are two storey, semi-detached properties and gardens.

The site is located within the AONB, Built Environment Type D, according to the proposals map for the Local Plan and adjoins the Conservation Area. The houses to the south and east are within the Conservation Area and the boundary follows the southern and eastern application site boundary.

This application seeks full planning permission for the demolition of the existing bungalow and the construction of a new house and detached garage. This amended scheme follows two earlier planning applications which were withdrawn prior to determination due to concerns about the scale of the replacement dwelling.

Key Issues

Acceptability of the principle of development;
Form and Character;
Impact upon the adjoining Conservation Area;
Impact upon the AONB
Relationship with adjoining occupiers; and
Other material considerations.

Recommendation

APPROVE

THE APPLICATION

The site consists of a detached, single storey dwelling and associated garden, within a short row of dwellings on the eastern side of Marsh Side, Brancaster.

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The site is located within the AONB, Built Environment Type D, according to the proposals map for the Local Plan and adjoins the Conservation Area. The houses to the south and east are within the Conservation Area and the boundary follows the southern and eastern application site boundary.

This application seeks full planning permission for the demolition of the existing bungalow and the construction of a new house and detached garage. The application follows two earlier planning applications which were withdrawn prior to determination due to concerns about the scale of the replacement dwelling.

The scale of the proposed replacement dwelling has been reduced in response to earlier concerns. The six bedroom dwelling is of two storey height but the roofspace has still been designed to accommodate additional accommodation. The dwelling still incorporates a single storey rear projection of some 12m, but the dwelling has been pulled away further from the boundaries to the north and south, the garage at the front of the site has been removed and the mass of the roof broken up with a section that steps down in size. The design of the house also takes more reference from properties in the vicinity.

Overall the amount of built form on the site has been reduced and the spacing around the building increased.

SUPPORTING CASE

The application has been supported by a Design and Access Statement. It refers:-

The existing house on the site is a 1960s bungalow used as a single - family dwelling. There is also a 1970s concrete-panel garage with later conservatory and shed extensions on the site. The new house will be a single family dwelling.

The existing house sits in the middle of the site facing the street with a driveway on the right side of the plot leading to the garage set behind the house and against the right boundary. The new house will be in a similar position with ample space around it.

The existing house is 9.9m wide and 8.7m deep, single storey, with the ridge of the duo-pitch roof at approx. 6.3m above ground level. The new house is an "L" shape with the main wing (16.5m x 8m) running across the site and the secondary wing (6.5m x 11.8m) extending to the rear. The ridge of the roof will be approx. 8.5m above ground level, the same as the houses behind in Links Court. The ground level at the existing house will be adopted for the new house with landscape features in the rear garden to transition to existing site levels.

Following extensive discussions with the planning and conservation officer, following withdrawal of two earlier schemes, it was suggested that the scale was broken down and the resulting scheme has been agreed with them.

The rear and front gardens will remain open. Boundary hedges and masonry walls will be planted/built where shown on the plan, as agreed with the planners. There will be no changes to trees on the site.

The existing house is brick with concrete interlocking tiles, UPVC windows and doors. The new house is mainly flint and brick with plain tiles on the roof, with hardwood windows and doors.

This application is a follow-on from a previous application which was withdrawn due to planning officer concerns about overlooking and scale. This proposal has been developed with input from the planning officer with the intent of addressing those concerns.

PLANNING HISTORY

14/01759/F: Application Withdrawn: 06/02/15 - Demolition of existing bungalow and construction of a new house and detached garage

14/00437/F: Application Withdrawn: 20/05/14 - Demolition of existing dwelling and construction of a new dwelling

RESPONSE TO CONSULTATION

Parish Council: OBJECT – overdevelopment of plan in an AONB. Please refer to village design statement. Further discussion and site meeting requested. Please see previous objection.

Highways Authority: NO OBJECTION - conditionally

Environmental Health & Housing - Environmental Quality: NO OBJECTION - conditionally

Conservation Areas Advisory Panel: NO OBJECTION - conditionally

REPRESENTATIONS

Cllr Mrs Watson: has called in the application.

One third party representation referring to the following:-

- The proposed dwelling is too big, it will inevitably lead to clogging up the lane with even more cars (especially during the summer months when it is likely to be used most), and is frankly not needed in a village already cluttered with too many holiday homes.

NATIONAL GUIDANCE

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

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM15 – Environment, Design and Amenity

OTHER GUIDANCE

Brancaster Parish Design Statement

PLANNING CONSIDERATIONS

The key issues to be determined in this case are:-

- Acceptability of the principle of development;
- Form and Character
- Impact upon the adjoining Conservation Area;
- Impact upon the AONB
- Relationship with adjoining occupiers; and
- Other material considerations.

Acceptability of the principle of development

In terms of the Core Strategy Brancaster is defined as a Key Rural Service Centre where limited growth of a scale and nature appropriate to secure the sustainability of each settlement will be supported within the development limits. Core Strategy Policies CS01, CS02, CS06 and CS12 are relevant.

The site lies within the village settlement as defined on the Proposals Map of the King's Lynn and West Norfolk Adopted Local Plan 1998. It is within the Built Environment Type D, as shown on the same plan, and lies adjacent to the Conservation Area.

In principle new development will be permitted provided it has regard for and is in harmony with the building characteristics of the locality and has regard to its impact on the settings of and views into and out of the Conservation Area.

The site is within the AONB, where development which has a significantly detrimental impact upon the natural beauty of the landscape will not be permitted.

Nationally, the NPPF seeks a high standard of design, and design that takes the opportunity to improve an area. Some of the key objectives are for development which responds to its local context and creates or reinforces local distinctiveness, is visually attractive as a result of good architecture and appropriate landscaping.

Government Guidance also seeks quality design in housing, and states that Local Planning Authorities should encourage applicants to bring forward sustainable and environmentally friendly development. It also states that design should be well integrated with, and complements neighbouring buildings and the local area more generally in terms of scale, density, layout and access. Design should promote local distinctiveness.

Form and Character

The site comprises a detached bungalow and associated garden land. This application seeks the demolition of the existing dwelling on the site and its replacement with a two storey dwelling. The ground levels of the site fall moderately from east to west and levels are higher than that of the properties to the west.

Previous planning applications for a replacement dwelling have been withdrawn due to concerns relating to the scale and mass of the building on this site.

This current proposal shows that the scale of the proposed replacement dwelling has been reduced in response to these earlier concerns. The six bedroom dwelling is of two storey height but the roofspace has still been designed to accommodate additional accommodation. The dwelling still incorporates a single storey rear projection of some 12m, but the dwelling has been pulled away further from the boundaries to the north and south, the garage at the front of the site has been removed and the mass of the roof broken up with a section that steps down in height. The design of the house also takes more reference from properties in the vicinity.

Overall the amount of built form on the site has been reduced and the spacing around the building increased so that it is more in keeping with surrounding development.

Dorsal is currently the only bungalow in this part of Marsh Side so a two storey property would be more in keeping with existing development. Given the proximity to other dwellings and the changes in ground levels, the height of the proposed replacement dwelling has been an important consideration. It is now considered that this revised scheme is of appropriate scale and mass and can be sited in the streetscene in harmony with the building characteristics of the area.

The existing bungalow on site is a simple, modest brick building with a pantile roof. Some of the existing properties along Marsh Side Lane do not necessarily reflect the more traditional properties found in the village and do not use the traditional building materials of Brancaster. This development, however, proposes to use traditional building materials and incorporates typical characteristics found in the village. These quality elements include the use of red brick and flint panelling, clay pantiles, dentil course details, tumbling in and traditional chimney stacks.

Therefore it is considered that, visually the proposed dwelling now adequately promotes local distinctiveness.

The Parish Council objects to the proposed development as they consider it to be overdevelopment of the site in the AONB. They refer to the Village Design Statement as a reason for their objection. However, it is considered that the proposal relates adequately to the requirements of this document with regard to design, scale and appearance.

In terms of design and scale the proposal is now considered to be in harmony with the building characteristics of the locality and, therefore, accords with local plan policy 4/21, Core Strategy CS06 and the provisions of the NPPF.

Impact upon the adjoining Conservation Area

The site is located just beyond the Conservation Area boundary. However, development proposals in the vicinity of Conservation Areas should have regard to their impact on the settings of and views into and out of the areas and such proposals should be taken into account by the Council in assessing any consequential effect for the preservation or enhancement of the character or appearance of the Conservation Area.

As the site abuts the boundary, the proposed replacement dwelling will be visible from the Conservation Area. However in context, for the reasons referred to above relating to scale, density, massing, height, layout and materials, it would not appear unduly out of keeping.

With regard to Conservation Areas, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act requires planning authorities to pay special attention to 'the desirability of preserving or enhancing its character or appearance'.

The Conservation Areas Advisory Panel notes the reduction in the bulk of the building and the changes to the detailing. The revised proposal, as presented, took into account the concerns of their previous meeting and it was confirmed that the garage had been removed from the scheme. The CAAP now raises no objection to the current proposal but recommends that a condition be imposed relating to a sample panel.

It is considered that the proposed development will now preserve the character of the Conservation Area and its heritage assets and therefore accords with local and national planning policy with this regard.

Impact upon the AONB

The site, and indeed the whole of the village, is within the AONB, where development which has a significantly detrimental impact upon the natural beauty of the landscape will not be permitted. In terms of the design and scale, the NPPF discusses the need for dwellings in the AONB to be of an appropriate design and scale for their location.

The proposed works will be visible from within the confines of the village, but as it is surrounded by existing development of similar heights, it will not be obtrusive or prominent. In context, it is considered that the proposed dwelling will not be detrimental to the appearance of the AONB.

The Parish Council objects to the proposed development as they consider it to be overdevelopment of the site in the AONB. However, for the reasons given above, this view is not shared by your officers.

Relationship with adjoining occupiers

The relationship between the dwelling as proposed and existing dwellings has been examined.

The land immediately to the north is garden land and there will be some overshadowing at certain times of the day. However, this would not be sufficient to materially impact upon these neighbours with regard to loss of light or overshadowing.

The property will increase the amount of overlooking of neighbouring sites as first and second floor windows have been incorporated into the design. However, spacing between properties to the east and west is sufficient to ensure that the overlooking from the proposal will not be directly into windows of these neighbouring properties and will be to an acceptable degree. Neither is it close enough to have an overbearing impact upon the occupants of neighbouring properties, nor will it cause overshadowing or loss of light.

In summary, there will be no significantly detrimental impact upon the amenity of the occupants of neighbouring properties in terms of overlooking, being overshadowed or the replacement dwelling being overbearing, as a result of this proposal.

Highways issues

The Highways Authority has raised no objection to the proposal.

Third party comments have been received which state that the size of the house is too big and will lead to the clogging up of the lane with cars. However, three spaces are shown to be provided with additional space for turning so that vehicles may leave in forward gear. The proposed dwelling therefore caters for its own needs with regard to parking provision and meets the required parking standards. There are no outstanding concerns regarding this aspect.

Other material considerations

The site is within flood risk Zone 1 with little or no risk of flooding. There are no outstanding flood risk issues.

The site lies within 2km of a SSSI. However, the proposed development would not have a significant adverse effect on the features on which the SSSI is designated.

The application has been supported by a Protected Species Survey following neighbour concerns on an earlier planning application about bats using the roof of the bungalow.

The Protected Species Survey found no bat evidence inside the bungalow, and the roost potential was assessed as being low. Further, the survey found no indication that the proposed development should reasonably be expected to result in impacts to any other protected species, such as would be considered an offence under Article 12(1) of the Habitats Directive and its UK enactment, the Conservation of Habitats and Species Regulations 2010.

Subject to compliance with the mitigation measures proposed within the document there are no outstanding concerns relating to protected species.

Crime and Disorder Act 1998

Section 17 of the above act requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Planning Committee will not have a material impact upon crime and disorder.

CONCLUSION

The proposal is now considered acceptable in policy terms for this village site in the AONB, adjacent to the Conservation Area. The design, scale and height have been amended so that it no longer dominates the streetscene. It is considered the proposed replacement dwelling now relates sufficiently with the existing surrounding development. In context the proposed development will not appear unduly out of keeping or harm the natural beauty and character of the AONB.

The use of traditional building materials will preserve the character of the adjoining Conservation Area.

There are no outstanding concerns regarding overlooking, overshadowing or the development being overbearing. There are no outstanding nature conservation or flood risk issues.

The proposed development is considered to comply with Local Plan Policy 4/21, Core Strategy Policies CS01, CS02, CS06, CS08 and CS12 and advice within the NPPF and therefore it is recommended that the proposal for the development be approved.

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:
 - Drawing No.EX10 Rev 0, Site Location Plans
 - Drawing No.GA11 Rev 1, Proposed Block Plan, including Clarification of Boundary Treatments, dated 10 July 2015
 - Drawing No.GA20 Rev 0, Proposed Ground Floor Plan
 - Drawing No.GA22 Rev 0, Proposed Second Floor Plan
 - Drawing No.GA23 Rev 0, Proposed Roof Plan
 - Drawing No.GA31 Rev1, Proposed Elevations
 - Drawing No.GA32 Rev1, Proposed Elevations
 - Drawing No.GA41 Rev 0, Proposed Ground Floor Sections
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 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.

- 3 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.
- 4 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.
- 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.
- 5 Condition Prior to the first occupation of the development hereby permitted a 2.4 metre wide parallel visibility splay (as measured back from the near edge of the adjacent highway carriageway) shall be provided across the whole of the site's roadside frontage.
- The parallel visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 5 Reason In the interests of highway safety.
- 6 Condition Prior to the first occupation of the development hereby permitted the proposed access / 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.
- 6 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 7 Condition No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 7 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.