

<b>Parish:</b>	<b>Holme next the Sea</b>	
<b>Proposal:</b>	<b>Erection of a single-storey side extension</b>	
<b>Location:</b>	<b>Hope Cottage Busseys Lane Holme next The Sea Norfolk</b>	
<b>Applicant:</b>	<b>Ocean Breaks</b>	
<b>Case No:</b>	<b>17/01981/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr James Sheldrake</b>	<b>Date for Determination: 19 December 2017 Extension of Time Expiry Date: 15 January 2018</b>

**Reason for Referral to Planning Committee** – Site of previously dismissed appeal for another extension

**Neighbourhood Plan:** No

**Case Summary**

Members will recall that this application was deferred from the January Committee, to allow discussions to take place about redesigning the balcony so that it had less of an impact on the neighbouring property. A revised scheme has now come forward to be considered by Committee.

The application site lies within the Conservation Area of Holme-next-the-Sea. Holme-next-the-Sea is classified a Smaller village or hamlet according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The application site contains one dwelling. The existing property comprises a two storey building with a single storey linked building to the site. The property is constructed of traditional clunch (chalk) together with timber boarding and is roofed with traditional Norfolk clay pantiles.

The property has been the subject of a recently refused application to extend the building to the west (16/00196/F) and subsequently dismissed appeal (APP/V2635/D/3148824).

The proposal seeks consent for a single storey side extension, which incorporates a new balcony.

**Key Issues**

- Principle of Development
- Impact upon the character and appearance of the Conservation Area and other design considerations
- Impact on the AONB
- 4. Nature conservation

- 5. Highway Safety
- 6. Impact upon Neighbour Amenity
- 7. Other Material Considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site lies within the village of Holme-next-the-Sea and within the Conservation Area.

Busseys Lane is a narrow gravelled road that runs north from the junction of Kirkgate, Westgate and Peddars Way and finishes beside Hope Cottage, at which point a footpath starts. The site is bounded to the west by the North Norfolk Coast Ramsar Site, Special Protection Area and SSSI. The dwelling is surrounded on its northern, western and southern boundary by high hedgerows and on the east side of Busseys Lane is a hedgerow and trees which means there is little inter-visibility between the site and neighbouring properties and the AONB.

The existing dwelling is single storey and incorporates the original cottage to the south and the converted outbuilding that runs parallel to Busseys Lane. The existing dwelling is constructed externally from brick, stone and painted cladding and is roofed with traditional Norfolk clay pantiles. The converted outbuilding has a large set of modern doors and the original cottage incorporates modern window detailing. The garden and parking is to the west of the dwelling and the access is on the north east of the site.

The site has been the subject of a recently dismissed appeal for a two storey side extension (APP/v2635/3163185) which is discussed later in this report.

The current proposal has sought to overcome the reasons for dismissing the appeal, namely by reducing the two storey side extension to a more architecturally in-keeping single storey extension with a slightly lower pitched roof that is less visible from the conservation area and less impactful on the existing dwelling.

The application was considered at Planning Committee on 08/01/2018 when it was considered that an amendment was necessary to move the location of the balcony and to add a screen to mitigate any potential overlooking. The applicant has amended the balcony design and a condition has been imposed requiring the construction of a screen prior to the use of the balcony.

## **SUPPORTING CASE**

The agent submitted the following supporting statement (submitted 11/12/2017):

"The proposed development has been reduced markedly from the previous appeal scheme (for a 2-storey extension) following pre-application advice provided by the Council's Planning and Conservation Officers. The previous appeal was dismissed only in relation to the impacts arising from the scale and use of modern materials which the Inspector asserted

amounted to 'less than substantial harm' upon the character and appearance of the Conservation Area.

The proposed single-storey extension has also been further amended following the submission of the planning application in order to improve the subservient relationship with the host building whilst also amending the fenestration and the external materials.

The extension is proposed in order to improve the living environment within the cottage whilst also ensuring that the overall character of the existing building is not compromised. The scale of the development would also result in a much reduced and acceptable impact upon the character and appearance of the Conservation Area.

The applicant therefore considers that the proposal would constitute an acceptable extension to the dwelling." (Submitted 11/12/2017)

## **PLANNING HISTORY**

17/00121/PREAPP PRE APPLICATION ENQUIRY: two storey extension to dwelling

16/00138/PREAPP PRE APPLICATION ENQUIRY: two storey extension to dwelling

16/00196/F: Application Refused: 31/03/16 - Erection of a Two Storey Side Extension Appeal Dismissed 29/06/16;

04/02423/F: Application Permitted: 05/01/05 - Extension to dwelling to create double covered parking/storage area

2/03/1657/F: Application Permitted: 28/01/04 - Restoration of derelict dwelling

2/02/0248/F: Application Withdrawn: 11/04/02 - Reconstruction of dwelling

## **RESPONSE TO CONSULTATION**

**Parish Council: NO OBJECTION** (detailed concerns made)

**Highways Authority: NO OBJECTION.**

**Conservation Officer: NO OBJECTION.**

**Environmental Agency:** No comment to make.

**Natural England: NO OBJECTION** (with advice on assessing impact on AONB)

**Open Spaces Society: NO OBJECTION.**

**Public Rights of Way Officer: NO OBJECTION.**

**Norfolk Coast Partnership: NO OBJECTION** (with recommended condition).

## **REPRESENTATIONS**

**4 public objections** were received to the proposal on the following grounds:-

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- Impact on the SSSI
- "When the original building was restored further development was restricted to the original footprint" and "no further development was to be permitted".
- The design is "poor quality" and will have a "major adverse effect" on Holme.
- Overlooking from the balcony on Morning Flight (the single storey property to the east)

Since the Previous Planning Committee, 1 letter of correspondence from the owner of Morning Flight was received to say that he has no objections to the amended balcony if the condition to secure the obscured screen to prevent overlooking is implemented.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**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

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The main issues for consideration in the determination of this application are:

- Principle of Development
- Impact upon the character and appearance of the Conservation Area and other design considerations
- Impact on the AONB
- Nature conservation
- Highway Safety
- Impact upon Neighbour Amenity
- Other Material Considerations

## **Principle of Development**

Holme next the Sea is designated as a Smaller Village or Hamlet within the Site Allocations and Development Management Policies Plan (2011), is set within the AONB and contains a conservation area. The existing dwelling is in the Conservation Area Character Statement as an important unlisted building. Because Holme next the Sea is designated as a Smaller Village or Hamlet it doesn't have a development boundary, however the principle of development (extension to an existing dwelling within the residential curtilage) is acceptable.

## **Impact upon the character and appearance of the Conservation Area and other design considerations**

The property has been the subject of a relatively recent application to extend the building to the west (Application: 16/00196/F). The proposed extension was refused on the basis of its scale, design and use of materials and it not being subservient or sympathetic to the traditional appearance of Hope Cottage. The impact of the extension was considered to adversely affect public views and the visual amenities of the locality both detrimentally affecting the character of the AONB and failing to sustain the character of the Conservation Area.

The application was appealed (APP/V2635/D/3148824) and dismissed by the inspector. The Planning Inspector considered that the character of the Conservation Area did not demonstrate a wide variety of materials and a tolerance in terms of deviating from traditional design features. The inspector concluded that the scale and modern design of the extension would not be in keeping with the existing cottage or the traditional properties in the village. The extension would be an incongruous feature in terms of the design of the existing property and the Conservation Area. The harm caused to the Conservation Area and the non-designated heritage asset (the cottage itself) was not outweighed by any public benefit. The inspector dismissed the impact of the proposal upon the AONB as a reason for refusal due to the modest scale of the extension and the screening provided by the existing vegetation. A copy of the appeal decision is attached to this report.

The proposed extension is much smaller in scale than the previously refused application and doesn't look out of balance or significantly out of character with the existing dwelling. The proposal incorporates a traditional pitched roof, set lower than the existing dwelling, and materials are traditional and will match the existing dwelling. The proposed balcony is set back from Busseys Lane and won't be widely visible due to its position and the vegetation surrounding the site. The Conservation Officer has accepted that the proposed extension is "better proportioned in relation to the existing cottage and so will not be overly dominant" and doesn't object to the application. The impact of the proposed extension on the existing dwelling is therefore considered to be acceptable.

## **Impact on the AONB**

In the dismissed appeal (APP/V2635/D/3148824) the Planning Inspector commented that "the proposal would not cause harm to the character and appearance of the open landscape of the AONB. The development would therefore not conflict with Policy CS12 of the Core Strategy and Policy DM15 of the emerging SADM and the Framework in the regard that these policies seek, amongst other things, to protect and enhance the landscape character and the amenity of the wider environment including the heritage and cultural value of the area".

The screening provided by the existing vegetation on the boundaries, which restricts the wider visibility of the site, is unchanged since the appeal was considered. Given the reduced

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scale of the amended scheme being assessed and the vegetation surrounding the site, it is considered that the proposal would not cause harm to the character and appearance of the open landscape of the AONB.

### **Nature Conservation**

The Parish Council and third parties have raised concerns about the potential impact of the proposed development on the designated conservation sites adjacent to the site and European Protected Species in the vicinity.

In the dismissed appeal (APP/V2635/D/3148824) the Planning Inspector commented that "Third parties have raised concerns about the development disturbing the wildlife in the Redwell Marsh SSSI. The SSSI falls within the North Norfolk Coast Special Protection Area and Special Area of Conservation. It also lies within the North Norfolk Coast Ramsar area. In view of the modest scale of the development, I consider that the proposal would not adversely affect the SSSI and as such would accord with Policy CS12 of the Core Strategy and the advice contained within the Framework."

Due to the presence of European Protected Species in the designated conservation sites adjacent to the proposal site the applicant has submitted a preliminary ecological appraisal which concluded that the pond on site is "not considered to be suitable to support Great Crested Newts, Natterjack Toads or Common Toads", the loss of amenity grassland habitat won't have a significant impact on populations beyond the site boundary and "no trees or buildings on site are considered to have bat roost potential".

Given the reduced scale of the amended scheme being assessed and the lack of European Protected Species habitat, it is considered that the proposal would not adversely affect the SSSI or significantly impact upon European Protected Species.

### **Highway Safety**

Norfolk County Highways have raised no objection to the proposal.

### **Impact upon Neighbour Amenity**

A neighbour has commented that the proposed development will result in overlooking of the timber-chalet style property to the east (Morning Flight) from the proposed balcony. The proposed balcony was unchanged from the scheme assessed at appeal by the Planning Inspector in 2016 ((APP/V2635/D/3148824) and overlooking was not raised as a concern.

However, after being considered at Planning Committee on 08/01/2018 it was considered that an amendment was necessary to move the location of the balcony and the addition of a screen to mitigate any potential overlooking. The applicant has subsequently amended the balcony design and a condition has been imposed requiring the construction of a screen prior to the use of the balcony. The neighbour that objected to the scheme considered at January Planning Committee has written to say that he has no objections to the amended balcony design if the condition to secure the obscured screen to prevent overlooking is implemented.

Due to the scale of the proposed development and its relative position and distance from neighbouring properties (20+ metres) and the addition of condition requiring an obscured screen; the proposed development won't result in overbearance, loss of light or significant overlooking and therefore the impact of the proposed extension upon neighbourhood amenity is acceptable.

## Other Material Considerations

Holme next the Sea Parish Council haven't formally objected but provided a response detailing concerns. These concerns cover the cumulative impact of extensions, the internal layout, access difficulties along Busseys Lane, the amount of windows and glass, the balcony, the impact on European Protected Species, flood risk and parking of construction vehicles. Additionally, the Norfolk Coast Partnership have requested a lighting condition.

The design is acceptable; however, conditions are recommended that require more detail of external materials, external windows and doors, the balcony and external lighting. Flood risk is not a reason to refuse this extension in this case.

## CONCLUSION

The principle of the development is acceptable because the proposal is for an extension within the curtilage of an existing dwelling. This application is submitted in response to a previous refusal, which was also dismissed at appeal.

The design of the proposed extension in the conservation area is acceptable by virtue of its width, height and design. The proposal reflects the proportions of the existing dwelling and incorporates matching materials. Additionally, the impact of the proposal on neighbouring properties is acceptable due to the separation between neighbouring properties and the lack of significant overlooking due to the requirement of an obscured screen on the proposed balcony. The neighbour that objected to the previous balcony design has no objections subject to the amended design and securing of the screen.

The proposal would accord with policies DM1, DM2 and DM15 of the Development Management Policies Plan 2016 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 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 plan:  
  
DWG SE-422-20-REV F (19th January 2018)
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 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,

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bond and pointing technique. The development shall be constructed in accordance with the approved details.

- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment and external door design 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.
- 4 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 5 Condition: Notwithstanding the submitted plans, prior to the first use of the balcony hereby permitted full details of a proposed obscured screen (including the height and materials) on the east side of the balcony shall be submitted to and approved in writing by the Local Planning Authority. The screen shall be erected prior to the first use of the balcony and it shall be retained in situ in perpetuity.
- 5 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.
- 6 Condition: Prior to the installation of any external lighting to the site, details shall be submitted to and agreed in writing by the Local Planning Authority, and only lighting so agreed shall be installed on the site. Such lighting shall be kept to a minimum for the purposes of security and site safety, and shall prevent upward and outward light radiation. The lighting shall be fully shielded (enclosed in full cut-off flat glass fitments), directed downwards (mounted horizontally to the ground and not tilted upwards), switched on only when needed (no dusk to dawn lamps) and use white light low-energy lamps (LED, metal halide or fluorescent) and not orange or pink sodium sources
- 6 Reason: In the interests of minimising light pollution in the AONB and to safeguard the amenities of the locality in accordance with the NPPF.