

**AGENDA ITEM NO: 8/2(a)**

<b>Parish:</b>	<b>Docking</b>	
<b>Proposal:</b>	<b>Demolition of existing dwelling and construction of 2 dwellings</b>	
<b>Location:</b>	<b>Bernaleen Station Road Docking Norfolk</b>	
<b>Applicant:</b>	<b>New World Timber Frame</b>	
<b>Case No:</b>	<b>18/00973/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination: 2 August 2018</b>

**Reason for Referral to Planning Committee** – Called in by Councillor Morrison.

**Neighbourhood Plan:** No

**Case Summary**

The application site lies on the western side of Station Road, Docking and is within the development boundary of the village and the Conservation Area.

Docking is classified as a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy 2011.

The application site comprises of a 1960s bungalow set back from the Station Road.

The site is slightly elevated above the roadside.

The proposal seeks consent for the demolition of the existing bungalow to be replaced by two, two storey detached dwellings.

**Key Issues**

Principle of Development and Planning History  
Impact upon the Conservation Area  
Other Form and Character issues  
Amenity Issues  
Highway Safety  
Any other material considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site lies on the western side of Station Road Docking, opposite North Farm house and a recently converted barn complex.

Two detached red brick and flint dwellings to the south of the site are currently being constructed. The neighbour to the north is a two storey cottage with no rear private amenity space, with their private amenity space all to the front of their property.

The form and character of development in the locality comprises of two storey cottage style development to the north and south of the site and two storey farmhouses opposite and an infill detached bungalow.

The site contains a 1960s bungalow and there are a few other examples of infill bungalow development in the street scene.

The site has been the subject of a recent application for three terraced dwellings with cartshed parking to the front (17/02113/F). That application was refused for two reasons under delegated powers. Firstly, it was considered that the proposed dwellings by virtue of their height, bulk, massing and associated parking advocated a cramped form of development and failed to sustain the character of the Conservation Area. Secondly, the 2 ½ storey scale of the proposal and the cart-shed to the front of the site would have caused dis-amenity to Hilltops the neighbour to the north who relies on their front garden area as outside amenity space.

The proposal seeks consent to demolish this bungalow and construct two 2 storey detached dwellings.

The two detached dwellings are constructed from flint and red brick with pantiles, with small areas of larch cladding. One dwelling will have a single storey projection and undercroft parking.

The properties will have a parking and turning area to the front.

The front boundary treatment will be part hedge and part flint wall.

## **SUPPORTING CASE**

The applicant has submitted a Design and Access Statement which states the following:-

- Bernaleen is located within the Conservation Area of Docking on Station Road, to the north of the village centre.
- The existing bungalow benefits from a large front garden and the rear overlooks farmland.
- Docking is a key rural service centre and the site is within the development boundary.
- The key target of the design of the properties is to provide modest family homes that are more in keeping with the surrounding dwellings compared to the existing dwelling.
- The existing dwelling is somewhat out of place with its use of bland grey brick
- The plot can accommodate 2 dwellings to allow for shared parking to the front and private amenity to the rear (something that the existing bungalow does not benefit from)
- The design fits in well and the materials for the properties have been selected to match those seen along Station Road. A typical red brick will be used. Frontage of

plots 1 & 3 will be in flint to provide interest to the street scene. More modern interest is provided to the rear in the form of horizontal larch cladding.

- 6 parking spaces are provided in accordance with Norfolk Parking Standards

## PLANNING HISTORY

17/02118/F: Application Refused: 10/05/18 - Demolition of existing dwelling and construction of three dwellings

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** the parish council wishes to register its objection to this plan. They believe the site is not big enough for two properties and should be like for like 1 for 1. They are concerned that this development will overshadow the next property in the road. They consider there is insufficient parking and will lead to more on street parking on a busy road.

**NCC Highways: NO OBJECTION** subject to conditions

**Environmental Health & Housing – Environmental Quality: NO OBEJCTION** comments made in regards to the control of asbestos regulations 2012 and groundwater protection

**Anglian Water:** comments that the proposal is below 10 dwellings and they do not provide comments on developments of this scale

**Conservation: NO OBJECTION** there has never been an issue in terms of demolition of the existing property which does nothing to enhance to the character of the Conservation Area but the previous application raised concerns particularly regarding numbers and height of the proposed new build. This application has addressed those concerns and it generally reflects the extensive communication between Officers and Agent. I therefore have no objection subject to conditions in respect to materials.

## REPRESENTATIONS

1 letter received objecting to the application on the following grounds:-

- It is disappointing to see that Bernaleen is to be replaced by two properties that will dominate our Cottage. Running along our boundary will remove the airy aspect of our garden leaving us boxed in.
- Why are properties pushed forward?
- The properties will visually dominate Hilltops

## LDF CORE STRATEGY POLICIES

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM1** – Presumption in Favour of Sustainable Development

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

## **OTHER GUIDANCE**

Parish Plans

## **PLANNING CONSIDERATIONS**

The main planning considerations in regards to the application are:-

- Principle of Development and Planning History
- Impact upon the Conservation Area
- Other Form and Character issues
- Amenity Issues
- Highway Safety
- Any other material considerations

### **Principle of Development and Planning History**

The site lies within Docking's development plan boundary and Conservation Area. Docking is a Key Rural Service Centre in accordance with Policy CS02 of the Local Development Framework Core Strategy.

The site has recently been the subject of a formal application for 3 dwellings which was refused for the following reasons:-

1. The proposal by virtue of its height, scale, width, bulk and massing, combined with the number of units and its associated parking would result in an unduly prominent and cramped form of development that would be contrary to the building characteristics of the locality, appear incongruous in the street scene and cause harm to the character of Docking Conservation Area that would not be outweighed by any form of public benefit. The proposal therefore fails to comply with s.72 of Town and Country Planning (Listed Building and Conservation Area Act) 1990, paragraphs 56, 58, 64, 131 and 134 of the National Planning Policy Framework; Policies CS01, CS06, CS08 and CS12 of the Local Development

Framework Core Strategy and Policy DM15 of the Site Allocation and Development Management Policies Plan.

2. The proposal causes detrimental overbearing issues upon the adjacent neighbour Hilltop by virtue of the height and siting of Plot 3 in relation to a velux window contained on the western elevation roofslope of Hilltop and secondly due to the height, length and siting of the cartshed that serves all 3 dwellings in relation to the front amenity area of Hilltop. The proposal is therefore an un-neighbourly form of development contrary to the provisions of paragraphs 17 and 56 of the NPPF, Policy CS08 and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

The current application proposes to address these issues primarily by reducing the proposal to 2 storey in scale and only 2 dwellings. The 4 bay cartshed has now been removed and replaced with a single bay cartshed.

### **Impact upon the Conservation Area**

S.66 of the Town and Country Listed Buildings and Conservation Areas Act 1990 places a statutory duty on the Local Planning Authority to pay special regard to land and buildings in the Conservation Area.

Whilst not directly referring to the application site, but in reference to the general form and character of development of this part of the Conservation Area, Docking's Conservation Area Character Statement states "the northern part of the Conservation Area essentially repeats the pattern of linear development found elsewhere in Docking. The Station Road area contains many ranges of historic building set at different angles which with the subtle twists and turns of the road itself combines to provide a delightful range of views and vistas for example north farmhouse". The Conservation Area Character Statement goes on to state that in Docking there are some "simply bland" anywhere housing typical of the post war era.

The simply bland anywhere housing is evident on this site, in the 1960s pitched roof bungalow being, its loss and subsequent replacement, subject to a high quality design, could be said to be an enhancement to the character of the Conservation Area.

The proposal is for two storey detached red brick and flint dwellings with parking area to the front. Two storey dwellings with parking area to the front would not be out of place in this part of Docking's Conservation Area and the use of flint and red brick are traditional materials referenced in Docking's Conservation Area Character Statement. The use of larch boarding, whilst not a traditional material used in the Conservation Area, will not be seen to any great degree in the Conservation Area.

In order to address the reason for refusal, the height and scale of the properties have been reduced from 2 ½ storey to 2 storey which has resulted in the reduction in the ridge height of the dwellings by 1.5m. The bulk, width and massing reason for refusing the previous scheme has been addressed by changing the form of the development from terraced to detached, reducing the number of dwellings and removing the 4 bay cartshed.

The Conservation Officer has no objection to the proposal as presented and considers that the heritage issues raised by the previous application have been addressed in this scheme.

### **Other Form and Character issues**

The Parish considers that the proposal for 2 dwellings is an overdevelopment of the site. However,

the existing property has very little private amenity space to the rear and this proposal even though intensifying the site, has by virtue of siting the properties closer to the road than the existing bungalow has provided a commensurate sized amenity space to those found in the locality. The wall to the front of the site is higher than the front boundary walls found in the street scene, but the wall is set back from the street. It will therefore not be an unduly prominent feature in the street scene.

### **Amenity Issues**

Both the Parish Council and Third Party Representation are concerned that the proposal causes neighbour amenity issues.

The previous scheme for 3 dwellings was considered to cause neighbour amenity issues with the neighbour to the north of the site, Hilltops. Hilltops is unusual in that it does not have any rear private amenity space. The space to the rear of their property is the amenity space to the neighbour immediately to the north of Hilltops. All outside space is to the front of Hilltops. It was noted on a site visit during the previous application that Hilltops has a large velux window in its rear roofslope that serves a bedroom. Plot 3 of the previous scheme caused Hilltops detrimental amenity issues. Its 2 ½ storey scale and 4m distance to the boundary would have resulted in a detrimental overbearing presence upon the enjoyment of this room for the neighbour.

Additionally it was considered that the height and depth of the 4 bay cartshed, 4.3m (h) x 10.97m (l) with its siting close to the shared boundary of Hilltops would have caused a detrimental impact upon of the enjoyment of their front amenity space.

The proposal has addressed both these issues by reducing the scale of the nearest proposed property (plot 2) by 1.5m and siting the 2 storey element a further 0.5m away from the shared boundary.

The cartshed has been removed from the scheme. Instead a single storey front projection to plot 2 that incorporates undercroft parking is proposed. This front projection only marginally extends beyond the plane of the front elevation of Hilltops, thus the enjoyment of their amenity area is not detrimentally affected.

The proposal causes no detriment impact upon the two properties that are currently under construction. Being sited north and not extending beyond either the front or rear plane of these neighbouring properties overcomes any overbearing or overshadowing issues. The outlook from bedrooms in the rear of plots 1 and 2 is primarily over the agricultural fields to the rear. The neighbour opposite is separated from the front elevation of the properties by Station Road itself.

Should consent be approved, a condition will be imposed that notwithstanding the details shown, the bathroom window in plot 1 will be obscurely glazed and fixed shut in order to avoid looking directly into the wrap around window contained in plot 2 of the recently constructed dwelling to the south of the application site.

### **Highway Safety**

The existing vehicular entrance will be widened and offset to provide parking to the two properties.

Whilst the Parish Council are concerned about insufficient parking to serve the development, the 3 parking spaces provided for each plot meets NCC parking standards.

The Highways Officer has no objection to the proposal subject to conditions.

### **Any other material considerations**

The Environmental Quality Officer has no objection to the proposal but requests that the Environment Agency are contacted in respect to ground water protection but this is not considered to be necessary. The Environment Agency enforces any contamination of ground waters through the Environment Agency's legislation. An informative will be attached that draws the applicant's attention to the Environment Agency's standing advice in this regard.

### **CONCLUSION**

Members will need to consider whether two dwellings on the site, following the demolition of the existing bungalow, can be accommodated.

It is your officer's opinion that the previous scheme for three was an overdevelopment and caused harm to the significance of the Conservation Area through its height, bulk, mass and associated parking arrangement. It also caused a detrimental impact upon the neighbour to the north through plot 3's scale in relation to its siting upon Hilltops and the large 4 bay cartshed that extended along the majority of the shared boundary.

The proposal has overcome these issues by not only reducing the scale of the development to two properties; the height, form, siting in relation to the neighbours have all been considered and this has resulted in a proposal that enhances the character of the Conservation Area by removing a bland dwelling and replacing it with a high quality scheme that uses traditional materials found in the locality and addressed the issues in regards to Hilltops.

The proposal is therefore recommended for approval subject to the following conditions.

### **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:-
  - STR01.01.05 rev K dated 21st May 2018 received 7th July 2018
  - STR01.01.06B dated 21st May 2018 received 7th July 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 dwellings 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.

- 3 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition No development shall take place on any external surface of the development hereby permitted until samples of the tile and cladding to be used in the construction of the dwellings hereby approved 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 a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition No development over or above foundations shall take place on site until full details of the window style, reveal, cill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 5 Reason To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 6 Condition Notwithstanding details shown on plans STR01.01.05 Rev K, before the first occupation of plot 1 the bathroom window at first floor on the south elevation shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 6 Reason To protect the residential amenities of the occupiers of nearby property.
- 7 Condition Notwithstanding details received, prior to first occupation 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 dwellings 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.
- 7 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 8 Condition Prior to the commencement of the use hereby permitted the vehicular access shall be upgraded/ widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 2.5 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.
- 8 Reason In the interest of highway safety and traffic movement.
- 9 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or 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.

- 9 Reason In the interests of highway safety and traffic movement.
- 10 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, in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 11 Condition Prior to the first occupation of the development hereby permitted a visibility splay shall be provided in full accordance with the details indicated on the approved plan. The splay shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
- 11 Reason In the interests of highway safety.