

Parish:	Brancaster	
Proposal:	Replacement dwelling following partial demolition	
Location:	The Smithy Main Road Brancaster Staithe King's Lynn	
Applicant:	Mr And Mrs Lane	
Case No:	19/02000/F (Full Application)	
Case Officer:	Mr James Sheldrake	Date for Determination: 21 January 2020 Extension of Time Expiry Date: 29 February 2020

Reason for Referral to Planning Committee – The Officer recommendation is at variance with the views of the Parish Council and the application has been referred by Planning Sifting Panel.

Neighbourhood Plan: Yes

Case Summary

The application site is situated on the north side of the Main Road, Brancaster Staithe, and comprises a semi-detached two-storey dwelling.

The application seeks permission for a replacement semi-detached dwelling.

Key Issues

1. Principle of the development
2. Impact on form and character (including the AONB)
3. Neighbour amenity
4. Highway Safety
5. Brancaster Neighbourhood Plan
6. Other considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks permission for a replacement semi-detached dwelling.

The replacement dwelling will be two-storey and will be formed of the existing single-storey front projection, which sits at 90 degrees to the road, and a replacement two-storey volume attached to the neighbouring dwelling. The main two-storey volume will be formed of 3 bedrooms, and the existing single-storey front projection will form a 1 bedroom link-attached

annexe. The replacement dwelling will be constructed from brick, flint, and clay pantiles, which will match the neighbouring attached dwelling. The extent of glazing has been reduced and the proposed first-floor roof terrace to the rear of the dwelling has been reduced in depth.

The existing dwelling is formed of a two-storey volume that sits parallel with the road, attached and in line with the neighbouring dwelling to the west (Hazel Cottage), and the single-storey front projection. The existing dwelling was originally an extension to Hazel Cottage and was separated off as a separate dwelling in the 20th Century. Hazel Cottage is very traditional in character and, together with the front projection to The Smithy, makes an important contribution to the street-scene. The two-storey part of The Smithy that is proposed to be demolished makes much less of a contribution to the street-scene.

Part of The Smithy was recently transferred to the ownership of Hazel Cottage, so the internal dividing line between the properties has shifted. The garden boundaries have yet to be shifted, due to the delay in the determination of the current application; however, the proposed plans show clearly where the new dividing line will be. The transfer of garden and the middle portion of the building to the attached neighbour is not something that requires planning permission in this circumstance.

The application site and the proposed replacement dwelling fall within the development boundary and within the Brancaster Parish Neighbourhood Plan (2015 - 2026) area. The site also falls within the AONB and the rear garden leads down to the Norfolk Coast Path. The site is clearly visible from the coast path, a designated National Trail, so the proposed development to the rear will impact important public views within the AONB.

PLANNING HISTORY

None.

SUPPORTING STATEMENT The following statement was received on the 11th of June:

"The application was submitted during November 2019 and received objection from the Norfolk Coast Partnership and concerns from the planning department. Initially no comment was received from Parish Council.

Since then we have worked on 2 redesigns and 6 revisions to alleviate the concerns raised by all parties these changes include altering the design significantly to reduce the impact on the AONB and reducing the amount of glazing. We now have full support from the Norfolk Coast Partnership and they note how we had worked with them on the final design. We also have officer support to the scheme.

Despite repeated correspondence to the Parish Council, as you know we have tried all through this process to have a constructive dialogue with the Parish Council, asking for their opinion and keeping them updated on the revised plans as the design progressed. Despite these repeated emails unfortunately we received no feedback whatsoever as to what sort of design they feel is appropriate within their parish until the 4th May 2020, when the planning had been delegated to one PC due to COVID-19.

We have the following comments to make to their emailed objection and comments to the planning department.

PC Comment: The Parish Council wish to 'OBJECT and Call In' due to the following points.

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AA Response: The application was not called in.

PC Comment: It had been refused before due to being out of character and this has not changed in the revised plans.

AA Response: This application has never been refused and has been significantly changed, reduced in size and form, through consultation with CPRE and Planning officer.

PC Comment: Carparking; the revised plans have not addressed this.

AA Response: The consultation raised no parking objections which they confirmed to your consultation request.

PC Comment: The coastal path has not and will not move and this was mentioned in previous refusals.

AA Response: The application has never been refused and moving the coastal path has never been proposed however, I think this statement means that up till now the Norfolk Coast Partnership have rejected all previous plans, and have not moved their position. They now support the revised scheme size, windows and form.

PC Comment: Large windows.

AA Response: Again this is the first time this has been mention by the Parish Council. The window area has now been reduced by around 50% and the Norfolk Coast Partnership now support the revised scheme.

PC Comment: This is an area of beauty and these plans do not fit in.

AA Response: This comment leads me to think they have been looking at an old drawing. Looking at the dates involved and the dates of the delegated decisions on their website (attached) I can only surmise these comments relate to a previous revision.

We strongly believe the Parish Council have based their objection on a previous revision of the proposed scheme. The comments appear to relate to drawing revision D and not revision F as now proposed.

The proposed scheme accords with relevant national and local policy including the Brancaster neighbourhood plan and we do hope the committee will support this application so we can avoid a lengthy appeal process."

RESPONSE TO CONSULTATION

Parish Council: OBJECTION:

"- It had been refused before due to being out of character and this has not changed in the revised plans

- Carparking; the revised plans have not addressed this
- The coastal path has not and will not move and this was mentioned in previous refusals
- Large windows
- This is an area of beauty and these plans do not fit in"

Highways Authority: NO OBJECTION subject to conditions relating to the on-site parking and turning area and the annexe to remain ancillary to the main dwelling.

Norfolk Coast Partnership Officer: SUPPORT:

"Thank you for consulting the Norfolk Coast Partnership on this application. We appreciate that our comments on design have been carefully considered. The newest design details are

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much more sympathetic to the area and adjacent building. The side elevation will have less visual impact from the road and there has been a decrease in glass which will help to lessen light pollution on our dark skies. Therefore we remove our objection although ask that a condition for external lighting is included.

Natural England: NO OBJECTION

Community Safety and Neighbourhood Nuisance Officer: NO OBJECTION subject to conditions relating to foul and surface water drainage details, outdoor lighting scheme; construction management plan and site hours.

REPRESENTATIONS

None.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

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

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 1 - Size of Houses

Policy 2 - Design, Style and Materials

Policy 3 - Footprint for New and Redeveloped Dwellings

Policy 4 - Parking Provision

Policy 5 - Replacement Dwellings

Policy 9: Protection and Enhancement of The Natural Environment and Landscape

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

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

1. Principle of the development
2. The impact on form and character (including the AONB)
3. Neighbour amenity
4. Highway Safety
5. Brancaster Neighbourhood Plan
6. Other considerations

Principle of the Development

The proposed replacement dwelling will be fully within the development boundary, so the principle of development is acceptable.

Impact on Form and Character (including the AONB)

The proposed replacement dwelling will be subservient to the neighbouring dwelling, Hazel Cottage, and the additional scale and bulk won't unbalance the pair of dwellings. Sufficient space to the east side of the plot will be left, and the rear projection will be set in. The proposed two-storey rear projection will be a similar depth to the rear projection of Hazel Cottage, and the longer roof to the rear will add to the character of the two dwellings. The single-storey rear projection isn't considered excessively deep and won't extend far down the length of the garden and the first-floor rear roof terrace has been reduced in depth, which will limit the amount of glazed balustrades that will be required.

The extent of glazing is not considered excessive, and the window to wall ratio is considered acceptable. Further details of all proposed windows will be required, given the extent of glazing, and permitted development rights covering new windows will be removed. The proposed materials will work well in combination with the existing single-storey front extension, as well as the neighbouring dwelling; however, samples of external materials will have to be provided to guarantee the materials used in the construction of the replacement dwelling appear similar to those used in Hazel Cottage.

The impact in the street-scene is considered acceptable, including the view when approaching from the east, and the proposal isn't considered harmful to the wider landscape qualities of the AONB. The impact of the proposal when viewed from the coast path will be similar to other redeveloped dwellings along the Brancaster Staithe coast, and the proposal won't be unduly prominent. The Norfolk Coast Partnership Officer has written in support of the proposal and has recommended that a condition relating to lighting is imposed. This is considered reasonable given the openness of the coast path along the north of the site and the potential impact from excessive lights (particularly from the proposed roof terrace).

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The impact on the wider landscape qualities of the AONB, the form and character of the area, and the adjoining historic building is considered acceptable.

Neighbourhood Amenity

The main two-storey rear projection will be set away from the new shared boundary with Hazel Cottage, and only a small amount of the rear 1.5 storey sloping roof will project beyond the rear elevation of the adjoining neighbour (approximately 1.5 to 2.5 metres). The main windows of the ground and first-floor rooms of the neighbouring dwelling are set away from the location of the new shared boundary. There will be very slight overbearing and overshadowing; however, the level of impact will be very limited and is not considered to warrant refusal of the application.

The proposed first-floor roof terrace would allow significant overlooking of Hazel Cottage, so a 1.7 metre high obscurely glazed screen is necessary on its west elevation. The screen will be set significantly away from the shared boundary (over 3 metres), so its addition wouldn't result in any overbearing or overshadowing impact on Hazel Cottage. The separation distance to the dwelling to the east (The Paddock) is approximately 50 metres, so an obscurely glazed screen isn't necessary on the east side of the first-floor rear roof terrace. Separately, none of the proposed windows will allow significant overlooking.

Highway Safety

The replacement dwelling will utilise the existing access and will provide a sufficient amount of off-road parking.

The Highways Officer does not consider the proposal will engender any increased traffic, provided the annexe is used as ancillary accommodation (this can be dealt with by condition), so the existing substandard access is considered acceptable. It would be unreasonable to require access improvements given the proposal would not result in any additional independent uses.

Brancaster Neighbourhood Plan

The following policies of the adopted Brancaster Parish Neighbourhood Plan (2015 - 2026) are relevant: Policy 1 - Size of Houses; Policy 2 - Design, Style and Materials; Policy 3 - Footprint for New and Redeveloped Dwellings; Policy 4 - Parking Provision; Policy 5 - Replacement Dwellings; and Policy 9 - Protection and Enhancement of The Natural Environment and Landscape.

- the proposed dwelling and annexe will have a total of 4 no. bedrooms (the small study space isn't considered a bedroom given its limited dimensions) and will be two-storeys in height. The proposal is therefore considered to comply with policy 1;
- the dwelling has been designed to mirror the adjoining neighbour and the design incorporates traditional design features and materials, so it complies with policy 2;
- the footprint of the dwelling will be less than 50% of the plot, so it complies with policy 3;
- the proposal will provide sufficient parking for the dwelling, so complies with policy 4;
- the proposal won't result in an increase in the number of dwellings and the height of the replacement dwelling is considered acceptable, so the proposal complies with policy 5; and
- the proposal isn't considered to "adversely affect the statutory purposes of the Area of Outstanding Natural Beauty", so the proposal complies with policy 9.

Other considerations

To prevent overdevelopment of the site and to prevent any harm to the AONB, a condition has been imposed removing various permitted development rights.

Conditions relating to site hours and a protection scheme from construction are not considered reasonable given the small scale of the development. Foul and surface water drainage details aren't considered necessary given the proposal is for a replacement dwelling and also due to the extent of garden space available.

CONCLUSION

The principle of the development is acceptable, and the proposal is fully acceptable in terms of the impact on the form and character of the area, including the AONB, the impact on highway safety, and the impact on the amenity of the neighbours. The proposal is also considered to comply with the adopted neighbourhood plan.

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:

MCC01.01.06 B Proposed block and location plan; and
LAN01.01.09 F Proposed floor-plans and elevations.
- 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 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 proposed roof tiles have been left for inspection on site 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.

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- 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 of all new windows and details of all new doors 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.
- 5 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 6 Condition: Prior to the first occupation of the replacement dwelling 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 the approved scheme prior to the first occupation of the replacement dwelling and thereafter maintained and retained as agreed.
- 6 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
7. In the interests of the amenities of neighbouring properties in accordance with Policy DM15 of the SADMP 2016 and the NPPF (2019).
- 7 Condition: Prior to the first use of the first-floor roof terrace hereby permitted, a 1.7 metre high obscurely glazed screen shall be erected to the 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 west side of the terrace and the other screens shown on the approved plan shall thereafter be retained in perpetuity in the locations shown.
7. Reason: In the interests of the amenities of neighbouring properties in accordance with Policy DM15 of the SADMP 2016 and the NPPF (2019).
- 8 Condition: Prior to the first occupation of the development hereby permitted the proposed on-site car parking and turning area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 9 Condition: The proposed annexe accommodation shown on drawing LAN01.01.09 F (Proposed floor-plans and elevations) shall only be used as ancillary accommodation to the main dwelling hereby approved and shall at no time be used as a separate or unassociated unit of residential accommodation or be used for business or commercial purposes.
- 9 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF and Policy DM7 of the Council's Site Allocations and Development Management Policies Plan (2016).
- 10 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and E of the Town and Country Planning (General Permitted Development) (England)

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Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwellinghouse, the enlargement of the dwellinghouse consisting of an addition or alteration to its roof, or any alteration to the roof of the dwellinghouse, or buildings etc. incidental to the enjoyment of the dwellinghouse shall not be shall not be allowed without the granting of specific planning permission.

- 10 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 above mentioned Order.