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| Parish: | Docking | |
| Proposal: | Construction of new 1/2 storey extension while retaining as much of the existing extension as possible | |
| Location: | Swallows Rest High Street Docking KINGS LYNN PE31 8NH | |
| Applicant: | Mr Jonathan Cave | |
| Case No: | 21/00917/F (Full Application) | |
| Case Officer: | Mrs N Osler | Date for Determination: 6 July 2021 Extension of Time Expiry Date: 10 December 2021 |

Reason for Referral to Planning Committee – Officer recommendation is contrary to Parish Council recommendation and referred by Sifting Panel

Neighbourhood Plan: No

Case Summary

Full planning permission is sought for a single storey cart-shed extension (following demolition of an existing single storey lean-to garage) and alterations to an existing 1/1.5 storey extension to create additional habitable accommodation. A previous application, that was substantially different (for the demolition of the existing single and 1.5 storey extensions and replacement with a new detached dwelling), was refused and dismissed at appeal.

The site lies within the development boundary for Docking in Docking Conservation Area.

Key Issues

1. Principle of Development
2. Appeal History and Impact on Conservation Area
3. Residential Amenity
4. Highway Safety
5. Crime and Disorder
6. Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Full planning permission is sought for a single storey cart-shed extension (following demolition of an existing single storey lean-to garage) and alterations to an existing 1/1.5

storey extension to create additional habitable accommodation. A previous application, that was substantially different (for the demolition of the existing single and 1.5 storey extensions and replacement with a new detached dwelling), was refused and dismissed at appeal (appeal decision attached).

The application was refused for the following reason:

The development would result in the site being dominated by the two dwellings and their car parking and turning areas, with very little garden area provided. The proposal would erode the open character of this part of the Docking conservation area, degrade its historic character and cause harm to the significance of Swallows Rest as a non-designated heritage asset. The proposal would cause less than substantial harm to the conservation area and the harm isn't outweighed by the limited public benefits of the scheme. The proposal is therefore contrary to Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and Part 16 of the NPPF (2019).

The existing dwelling is very small and comprises: two bedrooms, and a bathroom at first floor level and a very small living room and kitchen / diner in the two-storey element with a store in the 1.5 storey element and an outbuilding / garage in the single storey element.

The resultant dwelling would comprise three bedrooms and a bathroom at first floor level (two bedrooms and a bathroom in the two-storey element served by the existing stairs and one-bedroom in the extended / altered 1.5 storey element served by an additional staircase.) At ground floor level there would be a lounge and kitchen in the existing two-storey element and a dining room in the 1.5 storey element. The single storey element would be demolished and replaced with a single storey element accommodating a W/C and boot-room and undercover car park area. Materials are as existing or to be confirmed (secured by condition.)

The site lies within the development boundary for Docking in Docking Conservation Area.

Unpermitted fencing is subject to separate enforcement investigation.

SUPPORTING CASE

This proposal is to reconfigure and restore an existing building already present on the site and joined to the existing dwelling. The proposals have been sensitively designed to take into account the character of the existing property and have been reduced in scale during the application process to take on board previous comments from the Parish Council. The addition of the car port seeks to reduce the overall visual impact of parked cars on the site.

The Parish council object to the proposed scheme but this is not a proposal for two dwellings, additionally most domestic properties have two or more doors one as a guest, semi-public, entrance and the other a more private 'dirty' entrance to be used by the occupants day to day when coming back from the beach or in from gardening. More often than not we put this entrance closer to utilities as we have with this scheme. An additional staircase had to be used as the first floor of the existing dwelling is very cramped and the addition of first floor circulation space would be a waste of space and potentially lead to the loss of a bedroom. The internal character of the existing property is also retained by not adding a staircase.

The existing fence present on the site does not form part of this application.

We have no objections from any other consultee and no negative public comments.

PLANNING HISTORY

20/00201/F: Application Refused: 09/04/20 - Proposed dwelling following sub-division and alterations to donor dwelling: Appeal Dismissed 27/09/20

19/01510/F: Application Refused: 05/12/19 - Proposed dwelling following sub-division and alterations to donor dwelling

RESPONSE TO CONSULTATION

Parish Council: The Parish Council still **OBJECT** to revised plans as it has not addressed any of their concerns which have been expressed.

Swallows Rest is situated in a conservation area and has a historic character within the village, the plans that have been submitted will take away the character of the existing dwelling. For these reasons, the application would fail to comply with:

- Part 16 of the NPPF (2019)
- Policy CS06 and CS12 of King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011)
- DM15 of Site Allocations and Development Management Policies Plan (2016)

- The Parish Council also feel that the site will be over developed if an additional dwelling were to be built and this would fail to meet:
- Policy CS08 of King's Lynn & West Norfolk Borough Council Local Development Framework – Core Strategy (2011).

With the plans clearly showing that the property would have 2 entrances along with 2 staircases meaning that if converted they would then turn into the 2 dwellings which the applicant has applied for previously.

The fence which they have erected is not in keeping with the conservation area and does not look nice and spoils the look of the character property.

Highways Authority: NO OBJECTION - I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to restrict the grant of consent

Conservation: NO OBJECTION - The latest amendments are an improvement. More detail is required as to how the increased height of the wall up to the eaves, especially above the window heads is to be treated. What materials will be used and how are the eaves to be detailed?

Whilst the existing elevations do not show any existing rooflights to the front, in reality there is one small existing roof light. I would prefer to see only one rooflight retained to the front rather than increase to two, this one rooflight could be relocated on the front slope if necessary or if easier, insert two rooflights to the rear, omitting all to the front.

REPRESENTATIONS

NONE received at time of writing report.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are:

- Principle of Development
- Appeal History and Impact on Conservation Area
- Residential Amenity
- Highway Safety
- Crime and Disorder
- Other Material Considerations

Principle of Development

The application seeks alterations and extensions to an existing dwelling within the development boundary of one of the borough's Key Rural Service Centres.

The principle of the development is to be supported subject to compliance with other relevant planning policy and guidance and, in particular, the impact on the historic environment.

Appeal History and Impact on Conservation Area

Collectively Policies CS06, CS08 and CS12 of the King's Lynn and West Norfolk Borough Council Local Development Framework Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and Section 16 'Conserving and enhancing the historic environment' of the Framework (NFFP) seek to ensure that: local character and a high-quality environment is maintained, and new development preserves or enhances the historic environment and protects the heritage and cultural value of an area.

The main consideration in relation to this aspect of the application is whether the application addresses the reasons the Inspector dismissed application 20/00201/F.

The scale and design of the altered 1.5 storey and replacement single storey elements have both been significantly reduced since the application was first received to address the concerns of the LPA, Conservation Officer and to seek to address the issues for dismissal of the previous application. The development is now subservient in scale and design to the main dwelling and as outlined below is now considered to address the concerns of the Inspector.

The Inspector described the site as follows: *The appeal site is located on High Street and comprises an attractive property and associated garden. The dwelling is set back into the site and comprises a traditional, two-storey dwelling with a single storey side extension and outbuilding. The property is identified as an Important Unlisted Building within the Docking Conservation Area.*

The Conservation Area extends along the main road through Docking and incorporates a large area of land to the South. The appeal site is located within the eastern part. Within this part of High Street, the appeal site and property make a positive contribution to the Conservation Area as a result of its age, traditional appearance and prominence. The set back of the dwelling provides some relief from the immediate prevailing built form of properties close to the pavement.

In relation to the impact of the previous application the Inspector considered that: *The addition of a second dwelling into the appeal site would result in two separate areas of garden for each property along with parking and a shared turning area. Due to the location of the existing property, the main gardens and outdoor areas would be to the front of the dwellings, adjacent to High Street. Although the proposed parking for each property has been relocated to the sides of the site, the shared turning area and driveways would still result in a substantial and dominant area of hard standing to the site frontage which would be prominent within the street scene.*

He continued by stating: *Whilst the proposed gardens would be modest, they would provide a reasonable area of outdoor space for each property. However, they would not be of a size to sufficiently soften and mitigate the visual impact of the amount of hardstanding proposed. As a result, the development overall would have an urbanising effect and the site would appear overdeveloped. This would result in the erosion of the gap in the built form currently experienced within the streetscene which would be harmful to the historic character of the area and the integrity of the existing dwelling.*

The proposed dwelling would entail the removal of the existing single storey side elements. These are in a reasonably poor state of repair, the shed in particular. However, whilst the

single storey structures do detract to a degree from the overall appearance of the property and surroundings, the provision of a new two storey dwelling in their place would significantly alter the character and appearance of the appeal site and surroundings to a harmful degree.

The Inspector concluded: *For the above reasons I conclude that the proposed development would not preserve or enhance the character or appearance of the Docking Conservation Area. It would therefore be harmful in this regard. This harm would be less than substantial and accordingly, in line with paragraph 196 of the National Planning Policy Framework (2019) (the Framework), should be weighed against the benefits of the proposed development.*

The application before members is for alterations to the existing 1.5 storey element and replacement of the single-storey element. In this regard it is substantially different to the appeal application as it retains most of the original structures and does not propose a new dwelling with the subdivision of the site that that would entail. The proposal is therefore considered to address these reasons the Inspector dismissed the appeal.

The erosion of the gap and urbanising effect are also almost wholly eradicated by virtue of retaining and altering, with only a slight increase in height to enable accommodation in the roof space, the existing 1.5-storey structure. The retention and improvement of this element and replacement of the single-storey element completely are considered to not only preserve the existing character of the Conservation Area (as described by the Inspector) but enhance it by improving these aspects. The Conservation Officer raises no objection but does require additional information in relation to elevational treatment and materials which can be suitably conditioned if permission is granted.

It is therefore considered that the proposed development wholly addresses the reasons the Inspector dismissed the previous appeal and results in an extended dwelling that would better meet the needs of a family and would also preserve and arguably enhance the character of the Conservation Area.

Consequently your officers consider that the development, that is the subject of this latest application, would comply with Policies CS06, CS08 and CS12 of the King's Lynn and West Norfolk Borough Council Local Development Framework Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and Section 16 [Conserving and enhancing the historic environment] of the Framework which collectively seek to ensure that: local character and a high-quality environment is maintained, and new development preserves or enhances the historic environment and protects the heritage and cultural value of an area.

Residential Amenity

The property to the east of the dwelling will be largely unaffected by the proposed development. As will the properties to the north and west that are separated by vehicular accesses. The slight increase in height of the altered 1.5-storey element and replaced single storey element would not have any material overbearing or overshadowing impacts due to the distances, orientation, and nature of this separation (accesses). Likewise, there would be no material overlooking to any sensitive areas of neighbouring properties due to the distances involved. Furthermore, the existing first floor window on the western elevation of the 1.5 storey element is removed from the proposed plans.

NO OBJECTIONS have been received from the occupiers of neighbouring dwellings.

Highway Safety

The application does not materially increase the use of the site and therefore the Local Highway Authority raises no objection on the grounds of highway safety.

Crime and Disorder

There are no specific crime and disorder issues arising from the proposed development.

Other Material Considerations

In relation to the Parish Council's comments your officers respond as follows:

The plans that have been submitted will take away the character of the existing dwelling. As outlined in the main body of the report your officers consider that the character of the existing dwelling is not only retained but enhanced by the proposed application.

The site will be over developed if an additional dwelling were to be built. The application is not for an additional dwelling.

The plans clearly show that the property would have 2 entrances along with 2 staircases meaning that if converted they would then turn into the 2 dwellings which the applicant has applied for previously. The dwelling has no rear amenity space and therefore the dwelling's amenity space is to the front. Your officers consider the desire to have patio doors onto this area from the dining room along with a main front door and side door via the cart shed are appropriate. Two staircases are required due to the very restricted size of the dwelling. Such a scenario is not unheard of when extending very small cottages. The dwelling could not be subdivided into two without planning permission. The Inspector's concerns regarding subdivision of the site (rather than the dwelling itself) would therefore have to be addressed if such an application were made.

The fence which has been erected is not in keeping with the conservation area and does not look nice and spoils the look of the character property. The fence does not benefit from planning permission. The proposed plans do not show the fence and therefore the fence will not gain planning permission by virtue of the current application. A separate enforcement investigation is dealing with this matter.

CONCLUSION

The proposed development is for extensions / alterations to an existing dwelling. The extensions and alterations are considered to respect the existing dwelling which is an important contributor to the Conservation Area. The proposal is substantially different to a recent refusal on the site that was dismissed at appeal and is considered to fully address the issues raised by the Inspector. No objections have been raised on technical grounds. Whilst contrary to the views of the Parish Council it is considered that the proposed development preserves and arguably enhances the character of the Conservation Area and should be approved 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 plan drawing no: CAV01.02.01 Rev.C.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Notwithstanding the details shown on the approved plans, prior to any works on the external elevations of the development hereby permitted, detailed elevation drawings and samples of materials shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved plans.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: Prior to the first occupation of the development hereby permitted the proposed car parking and turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason: To ensure the permanent availability of the parking / manoeuvring area in the interests of highway safety in accordance with the NPPF and Development Plan.