

AGENDA ITEM NO.8/3(d)

Parish:	Syderstone	
Proposal:	First floor extension with single storey rear extension to existing dwelling	
Location:	Nursery Lodge Farm, The Street, Syderstone, Norfolk, PE31 8SD	
Applicant:	Mr & Mrs M Cooper	
Case No:	21/01173/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 20 August 2021 Extension of Time Expiry Date: 7 December 2021

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

Neighbourhood Plan: No

Case Summary

This application proposes a new first floor to the existing single storey dwelling alongside a single storey rear extension.

The proposal has been amended since its original submission to improve the fenestration arrangement and to balance the front elevation. Alongside this, the rear elevation has been amended to improve the wall to glazing ratio and create a more balanced elevation.

The site and existing dwelling are located within Syderstone, among an established rural residential area. The site consists of a large plot with the dwelling well set back to the rear, large open land within the same ownership is located to the rear (south). Neighbouring dwellings are located to the north, east and west.

Key Issues

Principle of Development
Form and Character
Impact on Neighbour Amenity
Permitted Development Fall Back
Any other Material Considerations

Recommendation

APPROVE

THE APPLICATION

This application proposes a 1st floor extension to the existing single storey dwelling alongside a single storey, flat roof rear extension. The new first floor will follow the exact footprint of the existing dwelling and will retain a hipped roof of the same proportions as the current single storey dwelling, roof materials will be as existing. To the front, the elevation will follow the established use of materials, flint with brick detailing. The off-centre gable will extend to first floor level with a gable roof as existing and first floor windows are in line with ground floor windows below. First floor window height is more than at ground floor but is similarly proportioned when considering the detailing above ground floor windows.

The side and rear elevation will continue the use of the same materials as existing by utilising matching brick. At firsts floor to the east two new obscure glazed windows are proposed, in line with ground floor windows. To the west, no new windows are proposed

To the side elevation. A new door is proposed at ground floor to the rear elevation and a new window is proposed to the western side elevation of the first-floor rear projection.

To the rear, at first floor a large central glazed section will be installed with a new Juliet balcony and side windows to the left of the elevation, a new Juliet opening to the right of the door and finally a new Juliet balcony to the rear of the rear projection. At ground floor, a large central glazed section will mirror that of the first floor with a new door to the right. This extension will not extend past the rear of the existing rear projection and will retain the ground floor glazed door and side windows to the left of the elevation.

SUPPORTING CASE

The proposal is for a First floor extension with single storey rear extension to the existing dwelling.

In response to the Planning Officer's comments and suggestions we have revised our plans several times with new Front and Rear Elevations. The additional single story rear extension was required to satisfy a request that the first and ground floor rear windows are matching; this has the added benefit of scaling the house down to the rear.

The property is set well back from the road, behind another property, obscured mostly by five mature Ash and Beech Trees. The property is not in a conservation area, AONB or overlooked to the rear. The arable land to the rear is owned by the property owners, who are currently undertaking extensive grassland regeneration and a tree project in collaboration with Norfolk County Council.

During the construction stage, local disruption will be minimal as the property has vehicle access to the rear and off street parking to the front for at least six vans or light trucks.

The proposed external materials are vernacular, flint on the public face and brick on sides and rear, roofing materials to match existing.

We are looking forward to creating a modern low energy home using Passivhaus principles that will be an asset to the village and complement the site for many years to come.

PLANNING HISTORY

20/00297/F: Application Permitted: 20/04/20 - Single-storey rear extension (minor amendment to approved planning permission 19/00844/F, proposing to change the flat roof

over the extension to a pitched roof which is more in keeping with the local architecture and neighbouring properties. No change to floor plan). **Delegated Decision**

19/00424/F: Application Withdrawn: 08/04/19 - Two Storey Rear Extension and Balcony. **Withdrawn**

19/00844/F: Application Permitted: 25/07/19 - Single-storey rear extension. **Delegated Decision**

09/00123/PREAPP: INFORMAL - Likely to refuse: 14/07/09 - INFORMAL REQUEST - Construction of dwelling. **Delegated Decision**

10/00428/O: Application Permitted: 07/05/10 - Outline Application - Construction of dwelling. **Delegated Decision**

11/00530/RM: Application Permitted: 11/05/11 - Reserved Matters Application : Construction of dwelling. **Delegated Decision**

RESPONSE TO CONSULTATION

Parish Council: OBJECT: on the following ground:

- Front elevation windows will look into neighbours' properties so is a loss of privacy to neighbours
- Loss of light and overshadowing to neighbours
- Height of extra floor, scale and size of property
- Character of property not in keeping with neighbours' properties

Highways Authority: NO OBJECTION.

Environment Agency: NO COMMENT.

Arboricultural Officer: NO OBJECTION but recommends the following condition regarding:

- Any trees within 15m of the development will need to be protected throughout the construction phase.

REPRESENTATIONS

Original scheme:

ONE public **SUPPORT** comment regarding:

- A positive impact from a townscape perspective. The comment considers that a two storey dwelling is more appropriate than a bungalow given the rural setting and that the house is also set well back from the street.

NINE OBJECTION comments received from 7 individual objectors regarding:

- Overlooking to neighbouring dwellings and a subsequent loss of privacy and quality of life.
- Overlooking would have a seriously detrimental effect on quietly enjoy garden space and undermine the work to support the life of the village (work for the church, the

women's institute and other activities in the local community). This would also have an adverse impact on health and well-being.

- The height of the development would result in overshadowing to neighbouring properties, resulting in loss of light, further undermining ability to quietly enjoy garden space.
- Proposal is out of character with the locality where smaller buildings predominate. Being too large, overbearing, imposing and out of character with other buildings in the vicinity and with the surrounding landscape, to the detriment of the character of the surrounding area and landscape.
- Loss of church view.
- Inappropriate use if permitted development legislation.
- Are footings/foundations adequate for the proposed extension at first floor.
- Impact on neighbours due to construction.
- Original dwelling was permitted as a bungalow.
- Consequence of previous permission.
- Possible unauthorised use of land.
- Bias towards applicant compared to neighbours and local councillor with knowledge and guidance given to the applicant/agent including discussions on fall-back position.
- Site visit conducted without neighbour's knowledge.
- Un-consulted changes to plans.
- Plans submitted late (after consultation date).

Latest scheme (re-consultation):

ONE public **OBJECTION** regarding:

- Overdevelopment of a bungalow, the development would more than double its size.
- Out of keeping with the area and the village as a whole and would infringe the surrounding properties.
- The development would limit the light to neighbour's homes and sunlight to gardens.
- Privacy of neighbouring homes would be affected, the fundamental right of privacy would certainly be lost as they would be overlooked.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM2 – Development Boundaries

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Permitted Development Fall Back
- Any other material considerations

Principle of Development

The application site falls within the development boundary of Syderstone, a rural village as defined by the Core Strategy Settlement Hierarchy. The development proposed is for extensions to an existing dwelling within the established residential curtilage. Based on the above, the principle of the proposed development is acceptable.

Form and Character

The existing dwelling consists of a single storey bungalow dwelling set within a modest area of curtilage with extensive land in ownership to the rear. Set back from the main road quite substantially, the dwelling is screened by a large mature tree to the front with neighbouring dwellings to the front (north) and sides (east and west) of the plot.

The proposed development adds a new 1st floor to the single storey dwelling and a single storey rear extension.

The 1st floor extension retains the off centre front gable at first floor which consists of a pitched roof. The 1st floor addition will have a hipped roof with chimney whilst the rear projection will also have a hipped roof with a lower ridge height. To the front, the off centre gable will have a large window at 1st floor level mirroring the front door and side windows at ground floor in terms of scale. New 1st floor windows are larger than at ground floor but are considered to be of an appropriate size, scale and design given the existing context. Overall, it is considered that the fenestration arrangement is of an acceptable balance. Materials to the front will be as existing- Brick and Flint as will the roof tiles and windows. This adds a sense of coherence to the elevation and wider proposal.

To the eastern side elevation two 1st floor windows are proposed. These will mirror the ground floor windows in terms of size, scale and design and will create little visual impact. To the west, the main side elevation will have no windows. There will however be a new 1st floor window to the rear projection and a new ground floor door to the single storey rear extension. These are minor additions that will again have little visual impact in terms of design. Materials follow that of the existing dwelling, the front elevation will include flint with brick detailing whilst the side and rear elevations include brickwork to match. Roof tiles are shown to match the existing dwelling.

To the rear, the appearance deviates from the rest of the dwelling and has seen several amendments in order to simplify and rationalise the design. The original proposal saw large

areas of glazing, this is still present but the wall to glazing ratio has been improved. As such, at 1st floor there will be a large central glazed area with Juliet balconies with side windows. This will be mirrored in the rear of the ground floor extension ensuring the elevation as a whole is well balanced and symmetrical. The single storey rear extension will be flat roofed and in set from the western side elevation and will not extend past the rear projection. It is considered that the extension is in scale and the rear elevation as a whole will be suitably balanced visually. The walls will be matching brickwork to tie the elevation together visually.

The wider visual impact of the proposal will be limited. To the front, the dwelling is set back significantly from the main street and is screened by a large mature tree. This ensures a limited and acceptable impact on the street scene. There are two-storey dwellings within the immediate locality of the application site, as such, whilst neighbouring views will be impacted, the design is considered acceptable given the local context of dwelling forms and sizes. To the rear, the elevation is prominent and will have views over the extensive land in ownership of the applicant. However, there are no road or public rights of way with any immediate views of the rear of the property. As such, there will be a very limited opportunity to view this elevation from the public domain. This relationship is therefore considered acceptable.

As the proposal is creating large additions to the existing dwelling is considered necessary to restrict permitted development rights on the proposed dwelling. This will ensure that any further alteration to the dwelling or additions within the curtilage of the dwelling can be assessed by the LPA, particularly any potential impact on nearby properties.

The proposed alterations are extensive but for reasons outlined above, the proposal complies with Core Strategy policy: CS08- Sustainable Development, DM15-Environment, Design and Amenity of the Site Allocations and Development Management Policies Plan as well as the provisions of the National Planning Policy Framework.

Impact on Neighbour Amenity

To the rear (south), the proposal will only look onto land in the ownership of the applicant. To the west, there is a distance of approximately 5.5m to the boundary from the side of the main dwelling with a distance of approximately 12m from the boundary to the nearest neighbouring dwelling. There are no side windows on the western elevation of the main dwelling so there will be no overlooking potential. The width of the side facing gable will be approximately 8.4m and the roof is hipped, reducing the prominence at roof level. Due to the distances above alongside the hipped roof and gable width, it is also considered that there would not be a significant or adverse impact in regards to overshadowing or overbearing. The boundary treatment is also quite significant with close board fencing and high hedging. The one side facing window to the west elevation is at first floor on the side of the rear projection and is over 20m from the boundary which ensures no overlooking.

To the front, there is a distance of over 20m to the shared boundary with 'The Bungalow' a single storey dwelling to the north and a distance of over 30m to the dwelling itself. This is a large separation distance which also includes the large, mature tree. The distance and screening ensures that there will be no adverse overlooking, overshadowing or overbearing issues to this neighbouring dwelling. The positioning of these front facing windows and orientation of the buildings ensures that there would be no unacceptable views into private amenity space to the two adjoining neighbours to the side. To the west there is suitable separation to the boundary and to the east the views would be limited to the side of the neighbouring dwelling and would have no unacceptable views into private amenity space.

To the eastern side elevation there are two new 1st floor windows proposed. However, these are shown on plans to be obscure glazed which will prevent overlooking; this will be secured

by condition on any consent granted. In terms of overbearing and overshadowing, there is a distance of over 12m at the closest point between the main dwelling and neighbouring property. Whilst the dwelling will be gaining an additional storey, the roof will be hipped reducing the height around the edge of the building. It is also of note that immediately adjacent to the shared boundary the neighbouring plot has a single storey garage/outbuilding. This prevents the most significant potential of overbearing to the southern area of the neighbours plot and will partially screen the proposed development. It is considered that on balance, the separation distance, screening from existing outbuilding and the limited overbearing of the property will create an acceptable relationship. The orientation is such that there would likely not be significant and unacceptable overshadowing on the neighbouring property. A key consideration is also that the addition of a 1st floor could be considered permitted development, as discussed below.

Permitted Development Fall Back

Under Class AA of the Town and Country Planning (General Permitted Development Order) 2015 (as amended), which relates to enlargement of a dwellinghouse by construction of additional storeys, a new 1st floor could be added to the property subject to a prior notification application being submitted. Whilst extra development over and above these permitted development rights is proposed as part of this full planning application, these are relatively minor, and therefore the principle of this 'fallback' position is given significant weight in considering this application.

In summary the proposed development meets all criteria for Class AA other than the addition of two side windows, and the floor to ceiling height at 1st floor being 0.022m more than at ground floor. As this is a full planning application the addition of the windows has been justified above, and is considered to be fully acceptable. The floor to ceiling height at first floor is only a very small amount over the permitted development allowed height. The overall height of the 1st floor addition to the building is within permitted development limits so adjusting this would not impact the overall height of the building as proposed. For these reasons as stated above it is considered that this fall-back position adds a further material reason to justify the addition of the 1st floor the existing dwelling.

Other Considerations

Parish Objections

All considerations regarding loss of privacy/ overlooking have been addressed above. Loss of light and overshadowing to neighbours, the height of the extra floor, scale and size of property and the character of the property have also been addressed above.

Public Objections

Overlooking, loss of privacy, overshadowing, resultant impact on amenity and fall back position have been addressed above.

Regarding the loss of the church view to neighbouring dwellings, there is no legal right to a view so this cannot form a consideration of this application.

Regarding the structural implication on the footings/foundations and questioning if they are adequate for the proposed extension at first floor, this is a matter that will be dealt with by building control.

Regarding impact on neighbours due to construction, it is not considered necessary to impose a condition for this level of development as this is a householder application.

Regarding the fact that the original dwelling was permitted as a bungalow, as detailed above the principle is acceptable. The fall-back position is also relevant in that a 1st floor could be added under permitted development.

Based on the public comment regarding previous permissions, this is a separate application permitting a separate scheme. The applicant can choose to implement a permission that is in time but could not build out two separate schemes relating to the same area of this dwelling. This application is only permitting the proposed development as shown on submitted plans.

Regarding the public comment about a possible unauthorised use of land (land to the south of the application site), the planning enforcement team have been notified of the public comment separately to this planning application.

One public comment raised the issue of a bias shown towards the applicant compared to neighbours and the local councillor, with knowledge and guidance given to the applicant/agent including discussions on a fall-back position. However, discussion including a phone call were had with Councillor Morley throughout the application process where information was provided when requested.

Local Planning Authorities are required to work proactively with applicants and cooperation is expected within national policy. Information was shared equally between all parties at all times.

Issues were raised that the Officers site visit was conducted without a neighbour's knowledge. It is common practice for officers to conduct site visits independently and assess the proposal and the impact on neighbours.

Finally, regarding un-consulted changes to plans and plans submitted late, the finally submitted plans which are the subject of consideration have been re-consulted on, and the opportunity has been given for further comment on this final scheme. The plans have been submitted and re-consulted on well in advance of the committee deadline and the correct procedures have been followed.

CONCLUSION

To conclude, the application site is within the development boundary of Syderstone and the extension is to an existing dwelling within the established residential curtilage. As such, the principle of development is acceptable.

The additions to the dwelling will utilise the same materials as the existing dwelling and the first-floor extension will follow the form and footprint of the current bungalow. The roof will remain hipped and the dwelling is well set away from the main road. The front and rear elevation have been improved to ensure that the fenestration is well balanced and that there is a suitable wall to glazing ratio. The dwelling is also screened by a large mature tree, limiting the impact on the street scene. The dwelling is set away from boundaries and has little to no impact to the rear.

Neighbour amenity impact is considered to be acceptable. To the west there is separation to the boundary and then further separation to the nearest dwelling. The boundary is well screened and the width and hipped roof are not deemed to be unacceptable in regards to impact. To the north, there are substantial distances to both the boundary and neighbouring dwelling. These distances ensure there will be no adverse impact on amenity. To the east, first floor side windows are obscure glazed, this is secured by condition. The proposal is

somewhat screened by a single storey garage outbuilding adjacent to the boundary in the neighbour's plot. This will prevent immediate overshadowing and provide a visual break between the neighbouring property and proposed development. The distance to the neighbouring dwelling from the proposal is considered acceptable.

Finally, although the proposal is considered acceptable in its own right, it is important to note that the fall-back position with regards to an additional storey is only marginally different than the current proposal. This is given significant weight by officers in the consideration of the application.

Objections from the Parish Council and members of the public are addressed above.

Overall, for the reasons outlined above, it is considered that this proposal is acceptable and that this application should be approved.

Overall, for the reasons outlined above, it is considered that this proposal is acceptable and that this application should be approved, subject to the following conditions and reasons, as it is deemed to be in accordance with local policy, including policy CS08 of the Core Strategy and policy DM15 of the SADMP, as well as the provisions of the NPPF.

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:
 - PROPOSED ELEVATIONS, Drawing Number: 3216-01-003 G
 - PROPOSED FLOOR PLANS AND SECTION, Drawing Number: 3216-01-004 G
 - LOCATION MAP & SITE PLAN, Drawing Number: 3216-05-001 C
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Before the first occupation of the development hereby permitted the windows at 1st floor on the eastern elevation shall be fitted with obscured glazing and any part of the windows that are less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
- 3 Reason: To protect the residential amenities of the occupiers of nearby property.
- 4 Condition: Any trees within 15m of the development shall be protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed

in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.

- 4 Reason: To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF.
- 5 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and reenacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house, additions etc to the roof of a dwellinghouse, other alterations to the roof of a dwellinghouse and buildings etc incidental to the enjoyment of a dwellinghouse shall not be allowed without the granting of specific planning permission.
- 5 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 mentioned Order.