

AGENDA ITEM NO.8/2(c)

Parish:	Burnham Norton	
Proposal:	Extension of three bedroomed, two storey cottage involving modest modifications to single storey lean-to at West end of cottage, minor internal modifications and enhancements, removal of existing timber shed and oil tank, and modest, localised adaptations to hard landscape. The gardens remain almost entirely untouched. Construction of two storey extension providing family rooms and additional bedrooms, connecting to existing cottage's West end at ground and first. New extension predominantly timber clad under a pan tiled roof, with timber windows throughout	
Location:	Denning 7 Marsh Lane Burnham Norton Norfolk PE31 8DS	
Applicant:	Mr Gerard Nieuwenhuys	
Case No:	22/00892/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 14 July 2022

Reason for Referral to Planning Committee – Called in by Cllr Sandell

Neighbourhood Plan: No

Case Summary

The application site relates to a two storey dwelling known as Denning No.7, situated on the southern side of Marsh Lane, Burnham Norton.

Planning permission is sought for the construction of a two storey extension to the western side and rear elevations of the existing; a first floor extension over an existing single storey element to the eastern elevation; a loggia to the rear of the two story extension; and various other modifications and alterations to the dwelling.

The site lies within Burnham Norton's Conservation Area and AONB.

Burnham Norton is classified as a Smaller Village and Hamlet within the Core Strategies Settlement Hierarchy.

Key Issues

Principle of Development
Design
Impact on the Conservation Area / Heritage Assets
Neighbour Amenity
Other Material Considerations

Recommendation

REFUSE

Planning Committee
7 November 2022

THE APPLICATION

The application site relates to a two-storey dwelling known as Denning No.7, situated on the southern side of Marsh Lane, Burnham Norton.

Planning permission is sought for the construction of a two storey extension to the western side and rear elevation of the existing dwelling; a first floor extension over an existing single storey element to the eastern elevation; a loggia to the rear of the two story extension; and various other modifications and alterations to the dwelling.

The proposed development will double the footprint of the existing dwelling, increasing the number of bedrooms from 3 to six. The applicants have stated that this additional space is proposed to enable them to use Denning as a family home, initially as and when they wish, but ultimately as their primary residence.

This application is a resubmission of a previous scheme (ref: 21/00122/F) which was refused for the following reason: -

1. This site lies within the Burnham Norton Conservation Area, the importance and significance of which is defined in the Burnham Norton Conservation Area Character Statement. The National Planning Policy Framework (NPPF) highlights the significance of conservation areas that can be harmed or lost by alteration to them by development in their setting.

The proposed two storey extension, due to its combined mass, scale and siting, would fail to respond sensitively and sympathetically to the local setting as it would be unduly prominent and incongruous in the street-scene, with the proposed loss of approximately 50% of the existing gap between the site dwelling and its west side neighbour.

Eroding the relationship of buildings to spaces and the views this creates, would result in a detrimental impact on the openness of the street scene in this locality, causing harm to the significance of the Conservation Area. Such proposal would therefore cause harm to the established form and character of the area by developing the open frontage, considered a key characteristic along this stretch of Marsh Road and which makes a positive contribution to the Burnham Norton Conservation Area.

As a result the proposal fails to comply with Policies CS06, CS08 and CS12 of the Borough Council of King's Lynn and West Norfolk's Core Strategy (2011), Policy DM15 of the Site Allocations and Development Management Policies (2016), as well as the provisions of the National Planning Policy Framework'.

The current application proposes some changes to the scheme in order to address the reason for refusal. The changes include: -

- Moving the two-storey extension away from the western boundary;
- Increasing the gap between the application site and the neighbouring dwelling to the west;
- Reduction in the scale and mass by reconfiguring the western side of the extension;
- Change in roof form; and
- Amendments to windows on the western elevation.

The proposed two storey extension is roughly 'L shaped', projecting from the rear with its depth aligned with the western boundary for a total of approximately 17.5m. It now proposes a traditional pitched roof, returning towards the east with a gable-end. A timber loggia is proposed to the eastern side of the extension. The majority of the proposed two storey

extension will be constructed using red brick, with the exception of the eastern gable-end, which will be timber clad.

The proposed first floor extension to the east will also form a small gable end and will be timber clad.

SUPPORTING CASE

The Applicant's agent will submit a supporting case under late correspondence.

PLANNING HISTORY

21/00122/F: Application Refused: 01/12/21 (DELEGATED) - Construction of two storey extension connecting to existing cottage's West end at ground and first. New extension predominantly timber clad under a pan tiled roof, with timber windows throughout. Modest modifications to single storey lean-to at West end of cottage, minor internal modifications and enhancements, removal of existing timber shed and oil tank, and modest, localised adaptations to hard landscape. – Denning, 7 Marsh Lane, Burnham Norton

RESPONSE TO CONSULTATION

Parish Council: NO COMMENTS RECEIVED

Conservation Officer: **OBJECT** -

This application has been submitted further to a refusal in 2021 and seeks consent for an extension which has been reduced in size. A comprehensive Heritage Appraisal has been submitted with the application.

Dennings and Lechmere are substantial houses within the Burnham Norton Conservation Area currently separated by garden space located behind wall and fence. In the case of Dennings a small timber structure sits behind the fence. Whilst long terms views from the east and west of these gardens are not visible, the impact of the garden space is more important when closer to the buildings, providing a sense of space around and beyond the buildings and hence a sense of separation between two large houses, preventing the creation of a terraced effect in this particular location. On this basis I regard this space as important within the Burnham Norton Conservation Area and contributing to its significance.

Despite the reduction in size, the proposed construction of the extension in this location would have a marked impact upon the Conservation Area's significance, particularly in the street scene outside the two properties, eroding the sense of space around and beyond identified above.

There is a statutory requirement to pay special attention to enhancing the character or appearance of a conservation area (P(LB & CA) Act 1990). The protection and enhancement of the historic environment is one of the three overarching objectives identified in paragraph 8 of the NPPF. Great weight should be given to the conservation of heritage assets and harm requires clear and convincing justification (Para 199 and 200 NPPF) Where an application would result in harm this should be weighed against the public benefits of the proposal (Para 202 of the NPPF).

Paragraph 207 of the NPPF states "Not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. Loss of a building or other element which makes a positive contribution to the significance of the Conservation Area or World Heritage Site should be treated either as substantial harm under paragraph 201 or less than substantial harm under paragraph 202 as appropriate taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area or World Heritage Site as a whole"

In conclusion it is considered that the development shown in the current proposals would cause harm to the significance of the Burnham Norton Conservation Area - a designated heritage asset through the erosion of an important visual space, important in the relationship between two large houses within the conservation area. There is no public gain to weigh against this harm and on this basis from a conservation perspective, I would recommend that this application be refused.

REPRESENTATIONS

TWO representations received from third parties, **ONE OBJECTING** and **ONE IN SUPPORT**, making the following comments:

OBJECTION

- Impact on Lechmere to the west
- Scale of two storey extension
- Close proximity to neighbouring boundary
- Completely change the appearance of the north facing elevation
- Impact on street scene
- Don't see any major changes from the first proposal which was refused
- The neighbour took great care when their property, involving the Local Authority, local architects, builders, neighbours and local residents
- This proposal does not sit sensitively or sympathetically with the local setting

SUPPORT

Whilst the representation states that it is in support of the application, the comments within it requests for the 'fir trees to the east of the property to be cut down dramatically as they overshadow the neighbouring house, block light and they are concerned that a storm could cause them to damage their house or shed, and could be dangerous to life'.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are as follows: -

- Principle of Development
- Design
- Impact on the Conservation Area / Heritage Assets
- Neighbour Amenity
- Other Material Considerations

Principle of Development

The proposal involves the domestic extensions and alterations to an existing dwellinghouse, and as such the principle of development is acceptable in accordance with the Development Plan.

Design

The existing dwelling comprises 2 storeys and is detached, with a narrow depth, pre-dating 1886, approximately 20m in width and abutting the road, built in chalk, red brick, flint and red clay Norfolk pantiles.

The dwelling has a short length of road-fronting wall abutting its western elevation and thereafter a 2m fence leading off to the western boundary (total approx. 7.2m), which then abuts a wall in the ownership of the adjacent site Lechmere.

To the rear of the site wall is a single storey lean-to element, proposed to be demolished. There is also a single storey projection to the eastern end elevation where there are high level trees.

This dwelling is not listed but identified as a 'non-designated heritage asset' within the Conservation Area.

The plot (50m wide and 42m deep) has an established landscaped and tree clad garden south and east of the dwelling.

The most significant element of the proposal is the two-storey extension to the western side and rear elevation of the existing dwelling, which will change the appearance of the southern (rear) elevation. The extension will provide an additional three bedrooms, giving a total of six bedrooms, and will more than double the size of the existing dwelling.

The southern elevation of the dwelling is the most attractive, in terms of its balanced fenestration, use of traditional local materials and detailing.

The proposed two storey extension is roughly 'L shaped', projecting from the rear with its depth aligned with the western boundary for a total of approximately 17.5m. The southern end of the extension is presented with its ridge parallel with the roof form of the existing dwelling, with a gable-end facing east into the site. The first floor overhangs the ground floor by approximately 2m and is timber clad and visually supported by timber posts which are connected to a timber loggia to its eastern side. The majority of the proposed two storey extension will be constructed using red brick, with that exception of the eastern gable-end.

Whilst the two storey gable is the same width and height as the existing gable to the eastern end of the building, due to the use of horizontal timber cladding on the entire façade up to the apex, together with the proposed window design and proportions (which are at odds with the original features), it appears wider, and for those reasons is not considered to be sympathetic to the traditional character and appearance of the existing dwelling.

The proposed first floor extension over the existing single storey element to the eastern end of the dwelling is also detailed to use horizontal timber cladding to its smaller gable. Whilst the scale and design of the first-floor extension is acceptable, the use of timber cladding is not considered to be in keeping with the traditional Norfolk dwelling, which is an important unlisted building.

Development Plan Policies aim to control extensions to existing dwellings in order to avoid any detrimental impact on the landscape and rural character of the area, especially in such sensitive areas as the Conservation Area and AONB. To achieve this, extensions should be designed to be subservient or subordinate to the main dwelling, as this allows for balance and prevents a new addition from dominating the original dwelling and potentially detracting from its historic form and appearance. As already stated above, the proposed two storey extension doubles the existing footprint and can therefore not be considered to be subservient nor subordinate to the existing dwelling by virtue of its excessive scale, which together with its design and use of materials, is not considered to be of high quality and would not preserve the character of the existing dwelling or its setting.

It is therefore considered that the proposed development is contrary to the aims and provisions of Core Strategy Policies CS06, CS08, CS12; SADMP Policies DM5 and DM15; and section 12 of the NPPF.

Conservation Area / Heritage Assets

As referred to above in the report, the dwelling is considered to be a 'non-designated heritage asset' (NDHA) in line with the provisions of the NPPF.

It is considered that the scale and design of the proposed two storey extension will adversely affect the significance of the NDHA and a balanced judgement is required having regard to the scale of harm and its impact on the Heritage Asset, that is the Conservation Area.

Burnham Norton's Conservation Area Character Statement highlights the special qualities that underpin the character of this conservation area, justifying its designation. It also seeks to increase awareness of those qualities so that where changes to the environment occur, they do so in a sympathetic way without harm to the essential character of the area.

Burnham Norton is a quiet rural hamlet with a loose knit plan form strung out along a country lane. The buildings are predominantly 19th century farm labourers' cottages and agricultural buildings constructed of clunch, flint and clay pantiles and linked by low roadside walls.

The view here is expansive across a wide area of flat grazing marshes and public paths across the marsh.

Marsh Lane running east-west alongside the meadows is lined on the landward side by a mixture of detached houses with mature planting including some very tall conifers. Only at the far end is some greater definition achieved by brick and clunch cottages hard by the road, before it curves back between fields to the A149.

Because there are very few listed buildings in Burnham Norton Conservation Area, the form and character of the settlement is largely dependent on the vernacular style of its many unlisted traditional buildings. Although none are distinctive enough to single out, all are of local importance and have been identified either because of their prominence or their relatively unspoilt character and their relationship to other historic buildings in the street scene.

The general layout of the hamlet and description of the somewhat tranquil, time-lapsed locality has changed little. Whilst Norton Street is the main road into the village, Marsh Lane and Blacksmiths Lane (Norton Hall Lane) play their part for access / egress, but all are narrow lanes.

There are some semi-detached former council dwellings of regular proportions on the central part of Norton Street. A complex of barns on Blacksmiths Lane junction have been converted to residential use. But dwellings are mostly aged, built in local materials, mixed in scale, design and format.

The overall image formed when travelling N along Norton Street is the space afforded to the setting of the dwellings and this is particularly noticeable with the aged dwellings and, no matter the orientation, this is the point of note (space between dwellings) which promotes the character of the village as one passes through Norton Street and into Marsh Lane.

As Norton Street peters out in a westerly direction into Marsh Lane, dwellings become sparse but retain the sense of spatial awareness between sites, as is the current situation with Denning and its space in setting between sites lying east and west.

The elongated dwelling west (Lechmere) fronts the road and has south facing extension and garage. It is the final dwelling on the route west out of the village. Attached to its eastern elevation is a frontage wall approximately 6.5m wide which extends to abut the 2m fencing / wall at the eastern boundary with Denning. The total distance between the end elevations of Denning to Lechmere is approximately 13.7m.

Denning and Lechmere are substantial houses within the Burnham Norton Conservation Area currently separated by garden space located behind the wall and fence. Whilst long term views from the east and west of these gardens are not visible, the impact of the garden space is more important when closer to the buildings, providing a sense of space around and beyond the buildings and hence a sense of separation between two large houses, preventing the creation of a terraced effect in this particular location. Notwithstanding the fact

that the character statement does not mention this gap, on the basis of the above, this space is considered to be important within the Burnham Norton Conservation Area and contributes to its significance.

A comprehensive Heritage Statement accompanies the application which includes a detailed analysis of Denning's development within its immediate context, with analysis of additions and extensions to Lechmere and consideration for the broader setting and the immediate street-scene.

The report considers that the reduction in footprint, scale and massing from the previous scheme means that the two-storey extension will neither be prominent nor incongruous within the street-scene and retains the gap between properties. There is no material impact on longer views. The previous 50% reduction in the gap has been further reduced to 36%. Notwithstanding this however, they consider that the Character Statement makes no reference to the 'open nature' of this frontage, identifying instead the definition created by the built character of this cluster.

Additionally, a detailed Design and Access statement has also been submitted which sets out and considers the site constraints, the site selection process (discounting other areas of the site to extend) design approach and how the proposal has developed.

Whilst the detailed information has been taken into account, it is not considered that the revised scheme addresses the previous reason for refusal as, despite the reduction in size, the scale of the proposed extension remains excessive and its design does not respect the traditional form and appearance of the existing dwelling. Furthermore, and notwithstanding the slight reduction in width, due to its location, the extension would continue erode the space between properties, which would have a detrimental impact on the street scene and in turn affect the significance of the Conservation Area.

There are no overriding public benefits that would outweigh the resulting harm, contrary to the provisions of the NPPF, in particular paragraph 202.

It is also considered that the proposal does not comply with the aims and provisions to preserve and enhance the historic environment by virtue of Development Plan Policies CS12 and DM15.

Neighbour Amenity

Taking the third party comments into consideration, whilst the two storey extension is within relatively close proximity of the western boundary, it is not considered that it would significantly impact on the amenities of the neighbouring residents, in terms of overshadowing and overbearing impact, given the separation distance between properties, together with the direction of the sun, and the presence of mature trees the western boundary.

The proposal would not result in no overlooking to the west as there are no first floor windows proposed on the western elevation of the extension.

Other Material Considerations

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee will not have a material impact upon crime and disorder.

CONCLUSION

The main consideration in the determination of this application is whether the proposed development is acceptable in terms of its scale, massing and design and the impact of such on Denning (a non-designated heritage asset) as well as the designated heritage asset, Burnham Norton Conservation Area. Consideration should be afforded to the previous reason for refusal and whether or not the current scheme addresses that reason.

It is your officer's opinion that the proposed L- shaped extension in particular, due to its combined mass, scale, design and siting, would fail to respond sensitively and sympathetically to the design and appearance of the existing dwelling as well as the local setting through the erosion of an important visual space, a key characteristic in the relationship between two large houses within the conservation area. The use of boarding is also an alien feature in this locality.

The proposal would result in a detrimental impact on the openness of the street scene in this locality, causing harm to the established form and character of this road frontage development, which makes a positive contribution to the significance of Burnham Norton Conservation Area as well as the AOPNB as a whole.

Whilst the proposal would provide a benefit to the applicant, in terms of offering more accommodation to suit their needs, it does not provide an overriding wider public benefit, which is necessary to outweigh the resulting harm to the designated heritage asset.

It is therefore considered that the proposal fails to comply with Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the Site Allocations and Development Management Policies (2016), as well as the provisions of the National Planning Policy Framework.

RECOMMENDATION

REFUSE for the following reason(s):

- 1 Reason: By virtue of its excessive scale, mass, design and siting, it is considered that the proposed 'L-shaped' two storey extension is at odds with the traditional character and appearance of the existing dwelling, which is considered to be a non-designated heritage asset. The impact is emphasised by the unsympathetic proportions, fenestration and use of materials within the proposed extension. As such, the proposal would adversely affect the significance of the non-designated heritage asset as well as the Burnham Norton Conservation Area and the AONB as a whole.

In weighing the scale of harm caused to the significance of the heritage asset, that is Burnham Norton's Conservation Area, it is considered that the proposal fails to respond sensitively and sympathetically to the local setting, as it would be unduly prominent and incongruous in the street-scene, eroding a visually important space between the site dwelling and the neighbouring property to the west, a gap which makes a positive contribution to the Conservation Area.

Eroding the relationship of buildings to spaces and the views this creates, would result in a detrimental impact on the openness of the street scene in this locality, neither preserving nor enhancing this historic environment. There are no overriding public benefits that would outweigh the resulting harm to the heritage assets.

Consequently, the proposal fails to comply with Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the Site Allocations and Development Management Policies Plan(2016), and the provisions of the NPPF, in particular sections 12 and 16.