

Parish:	Hunstanton	
Proposal:	New residential dwelling on land East of 15 Lincoln Street, Hunstanton	
Location:	15 Lincoln Street Hunstanton Norfolk PE36 6AS	
Applicant:	S Curtis	
Case No:	23/00348/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 11 May 2023 Extension of Time Expiry Date: 6 October 2023

Reason for Referral to Planning Committee – Called in by Councillor Bower and officer recommendation contrary to that of the Town Council.

Neighbourhood Plan: Yes

Case Summary

The application proposes the subdivision of the existing plot to the east of the main dwelling (Tower House) and the construction of a new dwelling. The application has been amended over time to seek to address concerns regarding the impact on neighbour amenity to the north as well as the design and materials of the dwelling. The development consists of a 1.5 storey dwelling, associated parking area and access onto Lincoln Road. The site is located within the Conservation Area.

Key Issues

- Principle of Development
- Form and Character and impact on the character and appearance of the Conservation Area
- Impact on Neighbour Amenity
- Highway Safety
- Any other matters requiring consideration prior to determination of the application

Recommendation REFUSE

THE APPLICATION

The application site consists of an existing detached dwelling set within a large plot with extensive mature trees and vegetation. This is located on the prominent corner of Lincoln Street and Cromer Road (A149) in central Hunstanton. The site is therefore residential in character with neighbouring dwellings to the north and west of the site. This location lies within the Hunstanton Conservation Area.

The application proposes the subdivision of the existing residential curtilage to the east of the main dwelling (Tower House) and the construction of a new dwelling with associated parking area and a new Vehicular and pedestrian access from Lincoln Street. The resultant plot would be slightly larger but comparable in size to the host dwelling. The proposed dwelling generally 1.5m storeys, pitched roof with a feature glazed gable to the front and is more contemporary in style given the areas more 19th and 20th century character. Materials include black roof tiles, render to the first floor and red brick to the ground floor.

Amended over time to seek to address concerns regarding impact on neighbour amenity to the north as well as the design and materials of the dwelling, the application consists of a 1.5 storey dwelling. The amendments to the scheme have been submitted unilaterally trying to address issues and not at the request of officers.

SUPPORTING CASE PROVIDED BY THE APPLICANT (Summarised for clarity)

Site Context

The application Site comprises of approximately 607m² of land adjacent to 15 Lincoln Street, Hunstanton, the donor dwelling.

The Site comprises of a garden area of lawn, hedges and trees that are used in association with 15 Lincoln Street. The trees are largely situated in the south-eastern corner of the Site. The site is bounded to the south by Lincoln Street and to the east by Cromer Road. To the north, south and west lie existing residential properties. The Site lies on the northern edge of Hunstanton Town Centre located within walking distance (0.3miles, 5-minute walk) to the High Street where a range of local facilities and services are available.

Designations

The Site lies within the settlement boundary for Hunstanton, as defined on the Local Plan Policies Map within the Hunstanton Conservation Area. The only reference to 15 Lincoln Street within the Hunstanton Conservation Area Character Statement is: 'A hedge in front of No 15 continues round into Cromer Road'.

None of the trees on Site are subject to a specific Tree Preservation Order, however, they are protected under the designation of the Conservation Area.

The Hunstanton Neighbourhood Development Plan (adopted in June 2022)- Point 45 highlights that "the provision of two or three bedroom, one or two storey housing is encouraged" – rather than the larger 4/5-bedroom houses which are often left empty half of the year because they are second/holiday homes.

Proposal

The entire site area of No.15 is 1,162m².

The proposed dwelling will sit on a site area of 607m²

The proposed dwelling footprint is 94m² - the plot ratio is therefore 1:6.5 or 15% coverage.

The proposal is low density especially in context to urban development recently approved in Hunstanton.

Layout

See drawing no: 674-101B. The proposed dwelling has been positioned as shown for different considerations:

The proposed dwelling is to have a designated / separate access to the donor dwelling No.15 allowing for full independent access, parking and turning and removing any necessity of on street parking (a concern of Hunstanton in general but The Avenues in particular). The trees and hedgerows as shown are to be retained. The proposed dwelling is set back because of not only the preservation of the trees and hedgerow but to keep the proposal of low visual impact with visual perspective.

The house will also benefit from South facing glazing and roof profiles allowing for sustainable heating / cooling methods including solar gain and PV panels.

Design and Scale

The proposed dwelling is for a 3-bedroom detached dwelling, designed to reflect the donor dwelling, new houses to the North, and other houses close by, in materials and roof profiles. The proposed height of the ridge line is to match that of 20 Glebe Avenue - a bungalow with roof conversion for an upper floor. No.22 was previously a bungalow and benefitted from a first-floor extension and now has a ridge some 2m higher than No.20 and this proposal.

The house is designed allowing for 2 bedrooms within the first floor / roof space and 1 bedroom suite at ground floor. This has been designed in consideration of the applicant's future needs and indeed any future occupants allowing for full accessibility. This was a requisite of Sustainable Homes Codes that some Local Authorities utilise allowing not only for someone with restrictive disabilities the chance to live within a family sized home but also in the event that any occupant could remain living in their home should they become restricted in movement.

During the process of the application amendments have been made moving the proposal away from the North boundary and amending the roof profile to lower the impact on the neighbours to the North.

Landscaping

A full tree report has been submitted to the LPA as part of this application. Trees and hedges are to be preserved as shown.

A new access / driveway and parking and turning area is to be provided.

The proposed dwelling benefits from adequate garden and ancillary space - reference made to the plot ratio.

Appearance

The proposal has taken into consideration the setting, existing materials, and properties within the immediate area. Having taken on board the Conservation Teams comments, we have amended the proposed materials to allow for red brick and render on the West part of the proposal, adjacent to and marrying with the donor dwelling.

We are also proposing to retain a more contemporary design on the East side which relates to both No. 20 and No. 22 Glebe Avenue and a dark coloured roof profile which also relates to No.5 Lincoln Street, opposite the site.

Access

The proposal is to create an independent access – separate to the donor dwelling allowing both to benefit from on site (off street) parking and turning areas and being able to access the highway in forward gear.

The proposed layout is as shown on the submitted drawings and it is anticipated that further details would be provided further to NCC Highways guidance and recommendations. Visibility is good.

The house is designed in consideration of the applicant's future needs – indeed any future resident's needs where full access to living, kitchen, bedroom and bathroom facilities are all on the ground floor level.

Planning History

A previous owner submitted for a much more ambitious proposal:

21/02309/F | Residential development of 2 dwellings on land north of Lincoln Street, Hunstanton | 15 Lincoln Street Hunstanton Norfolk PE36 6AS

Having considered 4 different layouts for 2 dwellings the application was withdrawn.

PLANNING HISTORY

23/00302/F: Application Permitted: 03/05/23 - Proposed Garage, Workshop and Alterations

22/00215/TREECA: Tree Application - No objection: 23/11/22 - T1 Tamerisk, T2 Laburnum, T3 Pyracantha, T4 pear, T5 apple, T6 apple, T7 pear, T8 apple, T9 spruce, H1 Leylandii, H2 Privet
Fell all. All in poor condition, or problematic location.

21/02309/F: Application Withdrawn: 07/04/22 - Residential development of 2 dwellings on land north of Lincoln Street, Hunstanton

RESPONSE TO CONSULTATION

Town Council: NO OBJECTION:

The Town Council Originally objected based on the application being considered an over development on the site and the impacts on the neighbouring properties. However, when the amended plan was submitted the Town Council supported the application which was repeated as below with the final amendment:

“The Council planners have considered all of the documentation including the revisions to the building size, the footprint, the retention of the trees, the retention of the hawthorn bushes, the reasons for the need for the build in the first place and all of the views expressed on the planning portal.

We have balanced the application against the Neighbourhood Plan (2022) and the elements contained within said plan with regards to new build dwellings within Hunstanton, including the freeing up of a dwelling suitable for a future family dwelling which are currently in short supply, taking all of these factors into consideration we therefore continue

to SUPPORT the application as the application fits in with the future vision and plans for the town.”

Highways Authority (NCC): NO OBJECTION:

Following a revised access that avoids street furniture, NCC Highways raise no objection. Conditions are recommended for any approval.

Conservation Officer: NO OBJECTION:

Original comment (objection):

“The garden, hedge and trees add to the character of the conservation area and are very prominent heading northwards along King's Lynn Road. The garden is mature and this spacious traditional garden is important to the relationship between building and open space within this part of the conservation area, reflecting an early 20th century part of Hunstanton's development rather than the Victorian phase.

Any development on this garden site will therefore harm the conservation area contrary to the NPPF Para 206.”

Conservation forwarded the comment from the Conservation Area Advisory Panel (as below) to the first amended plan which raised issues that still needed to be addressed.

Response to final amendment:

No objections to the amended plans.

Conservation Area Advisory Panel (CAAP)

Comment to first amended application from the Conservation Area Advisory Panel:

“The Panel made comments on the amended plans. The Panel felt that the position of the building was potentially acceptable away from the rear boundary but felt the design needed to be worked on taking design queues from the host dwelling to design a replacement building.”

Historic Environment (NCC): NO OBJECTION

Environmental Quality: NO OBJECTION:

The applicant has provided a screening assessment stating no known contamination. We have reviewed our files and the site is seen at the beginning of our records with a reservoir on site. Historic maps dated 1891-1912 shows a round structure on a site later labelled as a water tower. The surrounding landscape is largely residential.

The information submitted does not indicate the presence of significant land contamination. However, the former presence of a water tower and reservoir means that it's possible that some unexpected contamination could be present. Therefore a condition is recommended should the application be approved.

Arboricultural Officer:

The location for the proposed dwelling is very prominent in views from Kings Lynn Road, especially when travelling northwards. The existing vegetation comprises an attractive beech

hedge around the extent of the garden boundary with the highway's footpath, and a group of silver birch trees standing in a line behind the boundary hedge. Despite the presence of trees this application has not been supported by arboricultural information, and therefore an accurate assessment of the potential impact on the proposal on the trees is difficult.

Following a site visit, I feel that it would be possible to build a new dwelling on this land and successfully retain the trees, but this application has not yet provided the level of information to demonstrate this.

So, in principle I cannot object, but I would like to see more information as it appears that the footprint of the dwelling would be within the minimum root protection area of at least one or possibly two of the silver birch trees, and any development on this land will involve ground level changes, and this could also be detrimental to the trees.

If you are minded to grant consent, then pre-commencement conditions will be required for tree and hedge protection, I don't see the need for a soft landscaping scheme because of the existing trees and hedgerow.

Natural England: (Summarised for clarity)

It has been identified that this development falls within the 'Zone of Influence' (Zol) for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that certain types of new development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects...

Natural England advises that it is a matter for your Authority to decide whether an appropriate assessment of this proposal is necessary in light of this ruling. In accordance with the Conservation of Habitats & Species Regulations 2017 (as amended), Natural England must be consulted on any appropriate assessment your Authority may decide to make or the decision recorded as per an agreed approach.

REPRESENTATIONS (Summarised for clarity)

Councillor Correspondence:

Councillor Beal: After visiting a property to the rear of the application site on Glebe Avenue it is noted that they have a very small but compact garden. A blank house wall Almost 3 metres from her fence would have a detrimental effect on the property. Staring at a brick wall cannot contribute to anyone's well-being . I confirm I'm not against any good constructive development but feel that this offering is wrong and needs to be re-designed.

Councillor Bower: Neighbours who's property backs on to this application are very concerned that a two storey house built here would impose on their privacy and greatly overshadow their garden. I have been to look and must admit I agree.

I feel this is overdevelopment of the existing garden at 15 Lincoln Street and would like to call it in if approval is recommended.

Third Party Comments: SIXTEEN public **OBJECTIONS** from **NINE** objectors regarding (summarised for clarity):

Final amended scheme

- Neighbour amenity concerns reiterated regarding overbearing and loss of light/overshadowing alongside impact on view and height of proposed dwelling as detailed below.
- Noise impact reiterated regarding number of cars and associated movement use.
- loss of the leylandii hedge(planning ref: 22/00215/TREECA - for which neighbours weren't consulted).
- Concerns about infrastructure/sewer
- No improvement in the new proposed build which will reduce the impact on the neighbouring properties behind this build. The infringement of privacy and violation to the right to light still remains and is unaltered.
- Amended proposal does not improve anyone's wellbeing.
- Previous objections reiterated as detailed below including the Neighbourhood Plan.

Amended scheme

- Regarding the neighbouring property on Glebe Avenue, the garden is 9m long, the proposal gives a 2.5m gap from the boundary to the proposed property, only 11.5m from the back of the house to the proposed new construction.
- The amended proposal has "softened" the height with a single storey roof profile but this is still too close and too high. The kitchen window and French windows on the back of the house, both of which will be overlooked, overshadowed, and privacy compromised.
- Enjoyment of a south facing garden will be destroyed.
- There is no levelling of the site which is higher than the garden by at least 0.5m.
- The amended scheme proposal argues that this proposed property is no taller than those around it. This ignores that the property to the rear will be by far the smallest.
- The existing open nature of the land east of 15 Lincoln Street is the only source of light and open space to rear dwelling. Letting this proposal go ahead will box the property in entirely and severely affect mental wellbeing and neighbours desire to stay in Hunstanton altogether.
- There cannot be any precedent set for the amended scheme proposal based on neighbouring dwellings- there are material differences (new-build versus existing property, effect on neighbour amenity, trees in a conservation area).
- The amended scheme proposal believes the provision of 2 or 3 bedroom one or two storey housing is encouraged as set out in the Hunstanton Neighbourhood Development Plan, but this should not outweigh other considerations.
- Potential use of the dwelling as a holiday let.
- Unlikely that the property would be affordable to local people which goes against the intentions and spirit of the Hunstanton Neighbourhood Development Plan.
- Privacy will be compromised and noise increased.
- Neighbouring properties have the 'right to light' which everyone is entitled to. There has been no emphasis put on this or mention of any shadow drawings to support this application.
- Development is not in keeping with the majority of Victorian built design.
- Open aspect will be removed as this development is attempting to be put in a relatively small space, and far too close to boundaries.
- Neighbours will feel hemmed in, overlooked and it will be totally overbearing. It will spoil views across to the countryside from our rear windows.

- Impact on quality of life - nobody wants to have such a development blocking views, and taking away green space, let alone the extra noise, and encroaching on our back gardens, taking away privacy.
- Natural environment will be destroyed, as, though an attempt at preserving trees and front hedge is being made, it does not take away the fact that many mature trees and boundary hedge will be sacrificed. Those trees that remain on the plan will have their roots inevitably damaged, and therefore will probably result in them being removed.
- The infrastructure has not been improved in this area, and yet so many more homes have been built in this locality, why would we need another one home, in an inappropriate location.
- This development being passed will not be taking into account the feelings of the existing community, as stated in the "Plan" (Neighbourhood Plan).
- Moving the building away from the neighbouring borders to 2.5 metres or 8 feet, and only where the building is 1.5 stories (the rest "enough to walk around) does not take away the problems associated with loss of light, privacy, or loss of wildlife.
- Both the Conservation Team and the Hunstanton Town Council objected from the previous planning proposal(s).
- The "developer" has chopped and chipped several trees already to make way for the construction.
- The second proposed driveway is also of concern, the entrance being so close to the very busy A149 junction.
- Loss of Green Space.
- Previous Objection reiterated noting "Precedent" as per Architects comments and wildlife habitat and conservation of green and woodland spaces, and the effect.

Original scheme

- The new property will be extremely overbearing and imposing due to the land to the side of 15 Lincoln Street being raised by circa 1 metre, the position of the proposed dwelling's rear wall being on the boundary and the proposed height of the roofline.
- The property will be overlooking properties due to the roof windows facing towards neighbours and being extremely close to the boundary.
- The property will overshadow most, if not all outside space for northern neighbours for most of the day due to its location being to the South and again being on the boundary.
- Negative affect to the re-sale appeal and value of homes.
- The proposed dwelling is located within a conservation area and does not reflect the design of the Victorian seaside town.
- The developer wants to maximise the outside space associated with the property being South facing but this comes at the absolute detriment to northern neighbours wellbeing. It appears that there has been total disregard to the affects this proposal will have on the neighbouring properties, the residents and to any suggestions made in a previously rejected planning application in April 2022.
- It is mentioned by the applicants agent that precedence has been set for a build of this size by the properties in Glebe Ave running adjacent to Lincoln St. These should not be used as a similar example/like for like or prioritise this plan in any way. These houses were already built and standing for many years albeit before they were enlarged and extended in their rebuild. However they are not obtrusive to any residents or properties as they only presented their rear gardens to the side garden of 15 Lincoln Street.
- Constraints on the placing of the dwelling in relation to trees surely indicates the plot is simply not suitable for an obtrusive build of this size.
- Proposed driveway location being so close to the very busy A149 junction.
- Loss of rear hedging.
- The proposed property has 1 x WC and 3 x en suite bathrooms, and a kitchen planned to the rear of the property. These rooms have either windows or presumably extractor

fans all facing rear gardens. The pollution of both foul smells and the noise will be incredibly unpleasant and intolerable.

- Impact on light pollution and viewing the night sky.
- Loss of trees and wildlife.
- Poor visual relationship with Lincoln Street.
- Impact on Sewerage system both as a result of the new dwelling and the construction.
- The disruption, noise during and after the build will be detrimental to wellbeing to the existing neighbouring residents.
- Residents currently enjoy unfettered sunlight into the back of our house and garden for a large portion of the day.
- This new planning application will not only reduce the amount of light into properties but will mean the loss of privacy. This will inevitably affect wellbeing and health.
- Proposal is not low profile.
- The proposal will lead to a significant loss of light and greatly reduce the outlook from trees and open space to virtually a two storey brick wall.
- Two windows appearing on the north elevation of the new house would look directly into the ground floor lounge and kitchen but also two bathrooms as serviced by two Velux to northern neighbour.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

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

NEIGHBOURHOOD PLAN POLICIES

Policy J1 – Fundamentals

Policy K1 - Size and Mix of Houses - Housing Need

Policy K2 - Design, Style and Materials

Policy K4 - Parking Provision

Policy K5 - Off Road Parking

Policy L3 - Mobile Phone and Broadband Provision

23/00348/F

Planning Committee
2 October 2023

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character and the impact on the character and appearance of the Conservation Area
- Impact on Neighbour Amenity
- Highway Safety
- Any other matters requiring consideration prior to determination of the application

Principle of Development:

The site lies within the development boundary of Hunstanton. Hunstanton is a main town which can support significant growth of residential development. Policy CS05- Hunstanton of the Core Strategy 2011 seeks to retain and strengthen the role of Hunstanton as a main town in the Borough. Part of this policy seeks to promote opportunities for residential development within the town centre. Policy – K1 Size and Mix of Houses – Housing need of the Hunstanton Neighbourhood plan states that “the development of a range of property sizes and tenures suitable to meet local housing need will be supported.”

As such, subject to other material considerations the principle of development is acceptable, detailed matters are discussed below.

Form and Character and the impact on the character and appearance of the Conservation Area:

The application originally proposed a 1.5 storey detached dwelling with a single storey front projection, following the subdivision of the site from the host dwelling. Materials included white render, grey cladding and black roof tiles. Established trees and hedging to the southeast and roadside would be retained, these are considered an important feature and their retention is essential. The original scheme was considered to be out of character, the more contemporary design and materials together created a visually out of keeping impact that did not relate to the host dwelling, the character of the street scene or the Conservation Area.

The design was amended to attempt to reduce the impact of the dwelling on the northern neighbours. Materials remained the same, but the ridge was adjusted to be more central

over the footprint of the dwelling, the central section of the dwelling was shifted from the rear boundary and a projection was presented to the front and rear of the dwelling. The overall height and eaves remained the same as did the general form. The front elevation maintained a central gable with a pitched dormer element into the roof. A further dormer was present to the left of the elevation with a window below and the single storey projection is to the right, with the roof sloping down over. The east elevation includes two sets of double doors at ground floor towards the garden area with one window. A first-floor window would be present above in the gable end. The west elevation would be blank, other than to the front projection with a side window. To the rear, there would be two rooflights serving en-suites and a door and two small windows at ground floor.

Reference is made to support the submission to Glebe Avenue- noting a 2018 application. This application included a resultant property with similar materials and form to that proposed within this application.

However, with the consideration of the National Design Guide and the NPPF more weight is placed on good quality design. The Conservation Area Character Statement notes that Lincoln Street is characterised with Arts and Crafts style and influence, specifically noting the hedge in front of No 15. The proposed design was not considered to relate well to the site, including the wider local heritage and context. The design and materials were not considered to be locally distinctive, and the proposal would not respond to existing local character and identity, as noted by the Conservation Team.

Therefore, it was considered that the form, materials and design of the building would not be in keeping with the immediate street scene of Lincoln Road or the host dwelling and would not therefore be in keeping with the early 20th Century Character of the site and its wider setting.

As such, a final amended design has been submitted. This has altered both the design of the dwelling and the materials. At ground floor, the elevation would now be mostly red brick to match the main dwelling with render above, again to match the appearance of the host dwelling. Roof tiles would remain black. The overall design, form and scale of the development however remains mostly the same however the rear projection has been omitted and single storey, flat roof side projection is now present to the east.

The Arboricultural Officer raises no objection in principle, but a pre-commencement condition would be required to ensure trees are protected should the application be approved.

The Conservation Team now raise no objection. As such, conditions could be attached to an approval, including but not limited to, samples of materials to ensure a suitable visual finish if all other matters were considered to be successfully remedied. Overall, the proposed development is now considered to be in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocation and Development Management Policies Plan 2016, Policy J1 and Policy K2 of the Hunstanton Neighbourhood Plan, the National Planning Policy Framework and National Design Guide in this regard.

Impact on Neighbour Amenity:

The original submission was considered to present an overbearing and un-neighbourly impact on neighbours to the north, with an additional overshadowing impact. The loss of light would apply to garden space to northern neighbours alongside habitable space to the rear elevation of No. 20 Glebe Avenue, the dwelling directly to the rear (open plan dining, seating and kitchen area. The original dwelling was set approximately less than 1m from the boundary. This close distance, alongside the limited depth of the gardens to the north and

the change in land levels (northern neighbours are set lower than the application site), created an unacceptable impact.

In order to attempt to mitigate this, the bulk of the dwelling was moved away from the boundary and the central ridge was adjusted to be set further away from the northern boundary centrally, shifting the built form compared to the original. However, the dwelling would only be moved to be approx. 2.5m from the northern boundary with the single storey projection to the rear remaining approx. less than 1m. Whilst the changes were noted and the proposal attempted to mitigate the adverse impacts of the introduction of a new 1.5 storey dwelling on the neighbours, in this instance the key concerns were not overcome. The dwelling would remain very close to the north boundary and the overall bulk and scale would be much the same leading to the same impacts as the original submission.

A final amended scheme was therefore submitted which, as detailed above omitted the rear projection. As such, the rear of the proposed dwelling would be uniformly approx. 2.5m from the rear boundary. However, as the overall scale and position of the main dwelling has not changed it is not considered the above harm identified has been overcome.

Therefore, the proposed development of a new dwelling, by virtue of its size, scale and proximity to the boundary with the northern neighbouring properties, would have an unacceptably overbearing impact to the detriment of the neighbour's amenity and enjoyment of their private garden space. The development would also present an unacceptable overshadowing impact to the rear neighbours garden space and to the rear habitable rooms of the No. 20 Glebe Avenue, the neighbouring dwelling directly to the rear of the proposal. This would be contrary to Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocation and Development Management Policies Plan 2016, Policy J1 and Policy K2 of the Hunstanton Neighbourhood Plan and the National Planning Policy Framework.

Highway Safety:

NCC Highways originally raised concerns over the siting of a utility pole and stay in relation to the proposed access. This has been amended and NCC Highways now raise no objection. Conditions are recommended that would be attached to any approval regarding the parking and turning area, specification of the access, control of permitted development in relation to bollards/chains or any other obstruction as well as an informative regarding works within a public highway.

Any other matters requiring consideration prior to the determination of this application:

Additional Applicant Justification for the Development

It has been brought to attention of the LPA that the new dwelling is designed to be accessible accommodation. Information has been provided regarding this, attempting to detail why accessible accommodation cannot be incorporated within the host dwelling and the benefits of the new build. Whilst this is an important consideration and weights in favour of development, in this instance this consideration is not ultimately considered to outweigh the other significant material reason for refusal outlined within this report.

Town Council Comments

It is noted the Town Council now support the application, citing the revisions to the building size, the footprint, the retention of the trees, the retention of the hawthorn bushes, the reasons for the need for the build in the first place and all of the views expressed on the planning portal as well as the considerations of the Neighbourhood Plan (2022) and the

elements contained within said plan with regards to new build dwellings within Hunstanton, including the freeing up of a dwelling suitable for a future family dwelling which are currently in short supply.

Many of these points are addressed in the above report and whilst the dwelling proposed would include three bedrooms, these considerations are not considered to outweigh the reasons for refusal detailed within this report.

Natural England Comment

As this application is recommended for refusal, an Appropriate Assessment has not been carried out.

Third Party Comments

Many aspects of public objections are addressed within the above report. The intensity and nature of the proposed use, is in principle considered acceptable (a single dwelling in a residential area) and any impacts on neighbours as a result of this use only, would likely be acceptable (such as noise and the domestic use of the building such as the kitchen etc).

The 'right to light' is a civil matter, however the impact on neighbour amenity is a material planning consideration addressed within this report. It is important to note that there is no legal right to a view.

The impact on trees has been considered above and the Arboricultural Officer raises no objection in principle to the works. Some works to trees and vegetation were approved under: 22/00215/TREECA, this is a separate type of application to a planning application with different consultation requirements.

The loss of property value is not a material planning consideration. It is not considered that a single residential dwelling in a residential area could be resisted based on dark skies considerations given the context of central Hunstanton based the level of glazing and rooflights currently proposed.

Regarding the sewerage network, details of foul and surface water could be conditioned on an approval but as this application is recommended for refusal, no further details are provided at this time.

CONCLUSION:

Overall, it is considered that the proposed development of a new dwelling, in its final amended form, would have an acceptable visual impact. Materials would mirror the host dwelling and, with mature trees retained, the street scene impact would be acceptable as would the wider impact on the Conservation Area.

However, by virtue of its size, scale and proximity to the boundary with the northern neighbouring properties, the proposed dwelling would have an unacceptably overbearing impact to the detriment of the neighbour's amenity and enjoyment of their private garden space notwithstanding the design of the proposal. Alongside this, the development would also present an unacceptable overshadowing impact to the rear neighbour's garden space and to the rear habitable rooms of No. 20 Glebe Avenue, the neighbouring dwelling directly to the rear of the proposal.

The development would therefore be contrary to Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocation and Development Management Policies Plan 2016, Policy J1 and Policy K2 of the Hunstanton Neighbourhood Plan and the National Planning Policy Framework.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Reason: The proposed development of a new dwelling, by virtue of its size, scale and proximity to the boundary with the northern neighbouring properties, would have an unacceptably overbearing impact to the detriment of the neighbour's amenity and enjoyment of their private garden space. The development would also present an unacceptable overshadowing impact to the rear neighbour's garden space to the north and to the rear habitable rooms of No. 20 Glebe Avenue, the neighbouring dwelling directly to the rear of the proposal. This would be contrary to Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocation and Development Management Policies Plan 2016, Policy J1 and Policy K2 of the Hunstanton Neighbourhood Plan as well as the National Planning Policy Framework.