

## AGENDA ITEM NO. 9/2(c)

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Proposed new residential dwelling</b>	
<b>Location:</b>	<b>Land West of Former Methodist Church Bridge Street Downham Market Norfolk PE38 9DJ</b>	
<b>Applicant:</b>	<b>THE EXECUTORS of THE LATE MR. J. REED</b>	
<b>Case No:</b>	<b>23/01438/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Bradley Downes</b>	<b>Date for Determination:</b> <b>31 October 2023</b> <b>Extension of Time Expiry Date:</b> <b>12 February 2024</b>

**Reason for Referral to Planning Committee** – Referred to Planning Committee by Sifting Panel

**Neighbourhood Plan:** No

### Case Summary

The application is for the erection of a detached two-storey dwelling. The site lies on Bridge Street in the town centre of Downham Market, within the Conservation Area and adjacent Listed Buildings. A Grade II Listed Building the Former Methodist Church lies to the east, and another Grade II Listed Building a Former Library and Meeting House lies to the west. Immediately to the south of the site is a neighbouring dwelling and its outbuilding known as Priory House. The site is roughly square with a pedestrian link to Chapel Place.

### Key Issues

Principle of development  
Form and character  
Impact on neighbour amenity  
Highway safety  
Arboricultural impacts  
Other material considerations

### Recommendation

**REFUSE**

## THE APPLICATION

The application is for the erection of a detached two-storey dwelling. The site lies on Bridge Street in the town centre of Downham Market, within the Conservation Area and adjacent Listed Buildings. The site is currently vacant and within the setting and ownership of the adjacent Grade II Listed Former Methodist Church to the east. Another Grade II Listed Building, the former Library and Meeting House lies approximately 14m to the west with mature trees abutting the western boundary of the site.

Bridge Street is part of a one-way system in the Town Centre with single lane traffic. Immediately to the south of the site is a neighbouring dwelling and its outbuilding known as Priory House. The site is roughly square in shape and includes a long and thin section extending southwards to link with a private pedestrian access onto Chapel Place. The site area is approximately 213sqm, of which approximately 176sqm is developable space.

**PLANNING HISTORY** No relevant history

## **RESPONSE TO CONSULTATION**

### **Parish Council: SUPPORT**

The design has gone a long way in addressing the concerns previously raised by the Town Council.

### **Local Highway Authority: NO OBJECTION**

The application would not include any private off-street car parking provision. But given that this site is located within the town centre with excellent access to public services and Bridge Road's on-street parking is controlled with waiting restrictions, we would not wish to restrict the grant of permission.

### **Historic Environment Service: NO OBJECTION**

There are no known archaeological implications.

### **Historic England: NO COMMENTS**

### **Conservation Officer: OBJECT**

Reduction in scale of the proposed dwelling and no longer proposing to make another opening within the prominent frontage wall is welcome. However, they do not address the concerns related to loss of openness. While the scale and form of the dwelling have been reduced, the continued erosion of the open character of this part of the street scene would remain detrimental to the character and significance of the adjacent two listed buildings. We remain of the view that the scheme would cause a moderate level of less than substantial harm for the reasons given previously.

#### *Relevant previous comments*

The site lies between two listed buildings and within the Downham Market Conservation Area. Historic maps indicate that there has been an area of open space between the Methodist Chapel and the library (now Salvation Army) since the first edition OS map which dates to approximately 1885. It is therefore a key portion of open space within the town and acts as an important buffer between the built environment in this part of the conservation area. Moreover, it is a part of the setting of both listed buildings and makes a positive contribution to the setting of each.

The library (now the Salvation Army) dates from the 17th century and is listed grade II. It is clear that this building has a complex history but, for much of its existence it has been sat within verdant grounds with a substantial town centre curtilage. The tithe map illustrates this. The Methodist Church was built in 1859 and is grade II listed. It is an impressive building

with dominating architectural details which historically has been set in a substantial green plot. It creates a sizeable gap between the two listed buildings which, although diminished in recent times can still be appreciated from the Bridge Street frontage.

Properties along the street frontage are generally high-density buildings up against the street. Although the wall here still presents a sense of enclosure, behind the wall is a sense of changing hierarchies and higher status buildings due to the space created behind. Westwards down Railway Road, although the houses return to higher density, trees are visible and the buildings are not so close to the street. The application site therefore represents a transition space between two character areas of Downham Market.

We therefore consider that the scheme would not be in accordance with the NPPF and would result in a moderate level of less than substantial harm to the setting and significance of the Downham Market Conservation Area as well as harm to the setting and significance of the grade II listed Methodist Chapel and the Grade II listed Library (Former Friends Meeting House).

### **Arboriculture Officer: OBJECT**

No information has been submitted by the applicant relating to existing trees on site or adjacent the site. The application form for trees and hedges has been ticked no, when clearly there are three large mature sycamore trees in the size garden of the Salvation Army to the west. Their size and location appear likely to be of influence to the proposed development and are certainly important as part of the local landscape character, and character of the Conservation Area. These trees are not fully grown in height and spread.

Because the applicant has not provided any supporting Arboricultural information, and the layout has not been informed by Arboricultural information, an accurate assessment of the impact on these large trees cannot be made. The applicant has failed to demonstrate that the siting of the proposed dwelling will avoid future conflicts between occupiers and the neighbour sycamore trees. It also seems unlikely that enough space around the trees has been provided and the development may result in harm to the roots of the trees during construction work.

On the site are two small multi-stemmed self-seeded trees. Removal of these two small trees will not materially harm the character and appearance of this part of the Downham market Conservation Area.

### **Ecology officer: NO OBJECTION (verbal)**

The proposed development site does not have any features of significant ecological interest. Agree with officers summary that the site has negligible potential to support protected species.

## **REPRESENTATIONS**

### **SEVEN letters received raising OBJECTIONS**

- Would be a shame to hide the Chapel from view.
- New building would be too big.
- Dwelling would spoil privacy and result in loss of light for neighbouring dwellings.
- Not enough parking especially as located in a business area which all need parking.
- Site provides no off-street parking.
- Plot too small for proposed dwelling.

- Green land should be retained and looked after.
- Proposal would result in loss of a space for nature.
- Development would require felling of a mature tree.
- Bins being placed on the pavement, causing obstruction to users of the footpath.
- Concerned with security as there is no gate to block off the bottom of the garden.
- The people around the area haven't been taken into consideration or had a letter.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS12** - Environmental Assets

## **SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016**

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NEIGHBOURHOOD PLAN POLICIES**

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
 Planning Practice Guidance (PPG)  
 National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Principle of development
- Form and character
- Impact on neighbour amenity
- Highway safety
- Arboricultural impacts
- Other material considerations

### **Principle of Development:**

This application is for a new dwelling to the south of Bridge Street, within the town centre of Downham Market. Policy DM2 of the SADMPP 2016 states development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan. The principle of development for the residential development of this site is therefore considered acceptable, however subject to other planning policies as outlined below.

## **Form and Character and Impact on Designated Heritage Assets:**

The application site is located to the south of Bridge Street in Downham Market, within the conservation area and within the setting of the Grade II former Methodist Church and Grade II former Library (now the Salvation Army). Bridge Street comprises largely of linear frontage development, with buildings immediately fronting the pavement on both sides of the road. The site is currently overgrown land associated with the former Methodist Church forming an important undeveloped space in the Conservation Area and within the setting of the two Listed Buildings. It is enclosed by a period brick wall along the north boundary (adjacent to Bridge Street), and contemporary closed boarded timber fencing approximately 1.8m tall along the east, south and west boundaries.

A pastiche Georgian style 2.5 storey dwelling with a ground floor bay window feature was initially proposed on the site. Railing adjacent to the dwelling was proposed to replace part of the historic wall along Bridge Street. Following objections and comments, the proposed dwelling was amended in size, scale, and design. The proposal is now for a traditional modest contemporary style two-storey dwelling. The wall adjacent to Bridge Street is now proposed to be uninterrupted, retained as existing.

The space between these historic buildings has been diminished in recent times by a small warehouse and residential building. However, their historic functional, hierarchical heritage and visual relationships can still be appreciated from the Bridge Street frontage as the gap isn't totally lost. In addition, the site offers a transitional space between the character of Downham Market town centre where buildings are close to the carriageway and more densely spaced, which is different towards Railway Road where instead buildings are more set-back from the road and the street scene is more verdant in character.

Following amended plans, officers retain objections to the proposal. As a matter of principle, the development of this site would lead to loss of the openness offered by the existing undeveloped nature of the site which contributes to the setting and significance of the adjacent listed buildings and Conservation Area. It is considered this is exacerbated by the siting of the proposed dwelling which does not adhere to the grain and pattern of built form along Bridge Street, being set back into the site and framed by a historic wall. The proposed dwelling would erode the character of this part of the Conservation Area by creating a harmful consolidation of the two distinct character areas of townscape, which is currently separated as a more dense development to the east and more verdant and spacious development to the west.

The NPPF (2023) sets out the approach for considering potential impacts on designated heritage assets. Paragraph 213 states that loss of an element which makes a positive contribution to the significance of a Conservation Area (in this case, the undeveloped gap in the otherwise continuous frontage), should be treated as substantial or less than substantial harm, taking into account the relative significance of the element affected and its contribution to the significance of the Conservation Area. In this case it is considered the gap makes a strong contribution to the character and appearance of this part of the Conservation Area, and it is therefore significant in its own right. As such, Officer's opinion is that the development would result in a less than substantial harm under paragraph 208 of the NPPF.

In addition to a less than substantial harm on the significance of the Conservation Area the proposed dwelling would encroach into the last piece of open space forming a key part of the setting adjacent the Listed Methodist Church and former Library which contribute to their significance as historically being situated within spacious plots. The proposed dwelling would also block views of the side elevations of the Listed Buildings, detracting from their appreciation / appearance and setting. The impact on the setting and significance of the Listed Buildings is also considered to be less than substantial.

Paragraph 208 of the NPPF (2023) states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, then this harm should be weighed against any public benefits from the proposal, these may include securing its optimum viable use. It is considered the benefit from the provision of a single dwelling would add very limited value in terms of contribution to housing supply, and similarly limited benefit to the economic value added by construction and occupancy of a single dwelling in the district. Those very limited public benefits do not outweigh the identified harm on the designated heritage assets. Furthermore, the proposed development would not secure any optimum future use of a designated heritage asset, rather it would harm the integrity of local heritage assets through loss of significance.

Policy DM15 of the SADMPP 2016 states that development must protect and enhance the amenity of the wider environment including its heritage value. Also, the scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings. Development which is of a poor design will be refused. Policy CS12 of the Core Strategy 2011 states that development should seek to avoid, mitigate, or compensate for any adverse impacts on heritage and design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.

The harmful consolidation of two distinct character areas created by this proposal is considered to cause less than substantial harm to the character and significance of the Downham Market Conservation Area. In addition, the development would harm the significance of the two adjacent Grade II Listed Buildings by encroaching into their open setting. This less than substantial harm would not be outweighed by any significant public benefits, as such the NPPF indicates that permission should be refused. Subsequently it is considered the proposed development does not protect or enhance the amenity of the wider environment contrary to Policies DM15 and CS12 of the Development Plan.

### **Impact on Neighbours:**

Immediate residential neighbours to the site would be north on the other side of Bridge Street and south of the site. The former Methodist Church to the east is used as a warehouse of a local retail business, Reeds, and the former Library to the west is currently used by the Salvation Army.

The proposed dwelling would be sited in the west half of the site, with external amenity space to the east. Immediately south of the proposed dwelling is a large garage belonging to Priory House. Considering the size and scale of the garage, impacts of the dwelling to Priory House's amenity spaces would be minimal in regard to outlook and overlooking. The dwelling would not result in any significant overshadowing impact on Priory House given the siting, scale and orientation.

The proposed dwelling would be sited approximately 14m from No 66 (KP&Sons) and 66A (residential flat) to the north which is considered sufficient to avoid any significance impacts. Overall, it is considered the proposed development would not have any significant adverse impact on residential amenity in accordance with Policy DM15 of the SADMPP 2016.

### **Highway Safety and Parking:**

Concerns have been raised about highway safety by third party correspondence. Primarily that the development of this site being on a one-way road in the town centre and lack of parking provisions on the site would lead to conditions detrimental to highway safety.

Being within the town centre grants the site good access to public services in terms of proximity to service provision, employment and access to public transport. Given the accessibility to services, it would not be essential for occupiers of the dwelling to be reliant on a private car. On this basis, the Local Highway Officer considered that it would be hard to substantiate an objection. On-street parking on Bridge Street is controlled with waiting restrictions, but parking in the town centre can be found nearby, for instance within the parking area of Downham Market's Old Fire Station. As such, it is considered the proposed development, despite providing no off-road parking, would not be likely to result in any significant detrimental impact on highway safety in accordance with Policy DM15 of the SADMPP 2016 and CS11 of the Core Strategy 2011.

#### **Arboricultural impacts:**

There are two small self-seeded sycamore trees on the site which have only started growing in the last 10 years. It is considered the felling of these trees to facilitate the development would not have a significant impact on the character and appearance of the site or the sites contribution to the Conservation area. However, larger more mature trees immediately to the west and within the grounds of the former library which are considered to have a substantial positive contribution to the character of the Conservation Area and in particular the function of the site as a transition space between the two character areas.

It is considered these trees would be vulnerable to damage due to the construction phase of the development and no Arboricultural information has been submitted to otherwise demonstrate that the trees would not be affected as a result of the development. Any impacts to these trees would further detract from the character and appearance of the site and adversely affect the setting and significance of the Listed Buildings and Conservation Area contrary to Policies CS12 of the Core Strategy 2011 and DM15 of the SADMPP 2016.

#### **Other material considerations:**

One third party comment stated that the proposal would result in the loss of a space for nature which are rare in Downham Market Town Centre. The site is cut off from any wider network of green infrastructure and does not have any significant features of ecological interest; the small features of vegetation on site having negligible potential to support protected species. Overall, it is considered the proposed development would not have any significant adverse impacts on protected species.

In the event that bins are placed on the pavement for collection, it is considered this would only be temporary and would not result in any significant impact on highway safety. Many dwellings in the area already have to put their bins on the pavement, as such the proposed dwelling would not have any significant increase in this behaviour as a whole.

Lastly, a third party response has brought attention to the absence of any gate to block off the southern tip of the garden. While no such gate is shown on the plan, it would not prevent gating being installed at a later date. It is not considered sufficiently necessary to insist on the erection of a gate at this point given it relates to a private pedestrian access track.

One third party comment from an occupier not immediately adjacent the site was concerned that letters had not been sent to all people in the area. Officers are content that the Council's statutory duty to publicise this development have been complied with.

## **CONCLUSION:**

The proposed dwelling would result in the loss of a valuable open and undeveloped space which contributes to the significance of both the Downham Market Conservation Area and the adjacent Grade II Listed Buildings former Methodist Church and former Library (now Salvation Army). It would result in a less than substantial harm on the setting and significance of these heritage assets that would not be outweighed by any significant public benefit. The proposed development has also failed to demonstrate that it would not give rise to adverse impacts on the mature sycamore trees to the west of the site which make a positive contribution to the character and setting of the Listed Buildings and Conservation Area.

The NPPF indicates that permission should be refused in such circumstances. Furthermore, the proposed development would detract from the inherent quality of the environment contrary to Policies DM15 of the SADMPP 2016 and CS12 of the Core Strategy 2011. It is recommended this planning application is refused for the reason below.

## **RECOMMENDATION:**

**REFUSE** for the following reason(s):

- 1 Paragraph 208 of the NPPF (2023) states that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including securing its optimum viable use. Policy DM15 of the SADMPP 2016 states that development must protect and enhance the amenity of the wider environment including its heritage value. Policy CS12 of the Core Strategy 2011 states that development should seek to avoid, mitigate or compensate for any adverse impacts on heritage and design of new development should be sensitive to the surrounding area, and not detract from the inherent quality of the environment.

The proposed development would cause less than substantial harm to the character and significance of the Conservation area due to the harmful consolidation of two distinct character areas, and less than substantial harm to the setting and significance of the two adjacent Grade II Listed Buildings former Methodist Church and former Library (now Salvation Army) by encroaching into their open setting. The proposal also fails to demonstrate that mature trees adjacent the site which positively contribute to the setting and significance of adjacent heritage assets will not be adversely affected as a result of the development. This identified harm would not be outweighed by any of the limited public benefits from the proposal. Subsequently it is considered the proposed development does not protect or enhance the amenity of the wider environment contrary to Policies DM15 and CS12 of the Development Plan and would be contrary to the NPPF.