

Parish:	Holme next the Sea	
Proposal:	Replacement dwelling	
Location:	Brownsea 44 Beach Road Holme next The Sea Norfolk PE36 6LG	
Applicant:	N Williamson	
Case No:	22/01970/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 28 February 2023 Extension of Time Expiry Date: 8 December 2023

Reason for Referral to Planning Committee – Referred by Sifting Panel

Neighbourhood Plan: Yes

Case Summary

The application seeks full planning permission for the construction of a replacement dwelling at Brownsea, 44 Beach Road, Holme next the Sea.

The application site is within the Conservation Area and is within Flood Zones 2 & 3 of the Borough Council's SFRA (2018). The site is also within the Norfolk Coast National Landscape.

Key Issues

Principle of development
Design, Heritage Impacts and Impacts on the Conservation Area
Impact on the National Landscape
Trees and Loss of Hedgerows
Impact on Neighbours
Highway safety
Flood risk
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks full planning permission for the construction of a replacement dwelling at Brownsea, 44 Beach Road, Holme next the Sea.

The application site is within the Conservation Area, Norfolk Coast National Landscape and is within Flood Zones 2 & 3 of the Borough Council's SFRA (2018).

The application has been amended during the course of this application to redesign the dwelling following concerns raised by the Parish Council and the Conservation Team. The proposed dwelling is positioned in a similar position to the existing, set back further from existing hedgerows and trees along the site boundaries. The dwelling is proposed to be positioned approximately 10m from the north boundary (2m greater than existing), 10.5m from the east boundary (approx. equal to existing), 16m from the front (west) boundary (5m more than the existing) and 24.5m from the south boundary (6m less than existing).

The proposed dwelling comprises a two-storey element to the north, with single storey projection to the south creating a courtyard area in the centre of the dwelling and garden area to the south. Catslide dormers are proposed in part of the roof slope.

The car port is a detached open fronted single storey outbuilding proposed between the dwelling and the road, set back approximately 7m behind the highway verge and what is left of previous hedgerow boundary features.

The dwelling includes a varied ridge line which breaks up the bulk of the development and includes a mix of materials which are typical to Holme next the Sea - Cobble flint infill panels, clay pantiles, natural timber cladding.

The existing dwelling is positioned with side elevation facing the street, and the bulk of the development (the tallest part) in the northeast corner of the site. The ridge of the tallest part of the existing dwelling measures approx. 7.7m from ground level, with eaves at 5.8m. The ridge of the proposal is taller, at approx. 8.2m from ground level, however eaves are lower at 5.2m.

The remainder of the proposed dwelling is set down in height compared to the main section, with the other two storey element at a total height of 7.7m, and the single storey element at 5m.

The application site has previously been granted consent for the removal of trees in a Conservation Area under separate legislation. This has left the front boundary of the site adjoining Beach Road as more open than in recent history, however the site as a whole remains spacious and verdant and contributes to the setting of Holme next the Sea as a Smaller Village and Hamlet.

SUPPORTING CASE

None received at time of writing.

RELEVANT PLANNING HISTORY

22/00202/TREECA: Tree Application - No objection: 24/11/22 - T1 - eucalyptus. Fell. T2 - poplar. Fell T3 - apple. Fell R1 - mixed hedge (prunus, hawthorn, dead elm - Remove - Brownsea

Planning Committee
7 May 2024

19/00119/TREECA: Tree Application - No objection: 29/08/19 - Trees in a Conservation Area: T1, T2 Willow - Remove. TG1 Mixed spp - Reduce height of group to 2.5m and trim on an annual cycle to maintain at broadly reduced dimensions. TG3 4 x Lime - Clay shrinkage subsidence damage at Farm Corner, PE36 6LG - Brownsea

CONSULTATION RESPONSES:

Parish Council: OBJECTION, the comments summarised as follows:

Large public response to this application, all of which are objections focused on demolition impacts, scale/appearance and impacts on the Conservation Area and street scene character

Loss of the hedgerow and trees along the site frontage to prepare the development has caused lasting damage to the Conservation Area & National Landscape (previously AONB) Beach Road is a key route for tourist visitors to the area

Since original submission, a local history group has researched the house, the research indicates that four houses of similar design were built by Shirley Harrison architects and as a group make a contribution to the character and heritage of Holme. The loss of the dwelling would therefore be harmful.

Design is contrary to HNTS12 - Conservation Area impacts. Whilst design has improved however the Parish Council do not consider its scale, height, massing etc reflect the requirements of the policy.

The proposed dwelling does not sit as well in its plot, has large expanses of glazing and is substantially two storey, taller than the existing dwelling.

The dwelling should be considered a non-designated heritage asset and should be considered to have 'significant merit', questioning over whether the Conservation Team have visited the site.

Proposed garage placed to the front of the house will be intrusive.

First floor balcony would overlook Holme Stables which is a neighbouring property and important tourist draw.

Provision of a large dwelling would dominate the street scene and replacement landscaping would take years to mature.

Application proposes a dwelling which is too large in relation to HNTS 16 and HNTS 17. When including the garage outbuilding in the measurements, the total area is 357sqm which is in excess of 40% greater.

Application fails the Sequential Test, there is no proven need for the development, development sites elsewhere in the Borough would allow construction of replacement dwellings in lower flood zones.

HNTS 2 seeks to prevent development in the Flood Risk Area in line with the NPPF. To pass the exceptions test, development must provide wider sustainability benefits to the community AND be safe for its lifetime. No wider sustainability benefits are described, and a large dwelling would damage the balance of housing stock (HNTS 16/17) and damage the street scene (HNTS 11) and be at odds with HNTS 7.

The development would also destroy a non-designated heritage asset, and the loss of hedgerows is further at odds with policies protecting the National Landscape.

No evidence that the Exception Test has been requested or provided **Note: the Exceptions Tests is the Local Planning Authority's responsibility to complete and takes place below**

The EA state it is the LPA's responsibility to ensure the property is safe for its lifetime and Holme Parish Council consider it is not. The site has no safe access/egress in the event of a flood.

Application makes no reference to impacts of Surface Water Flooding.

Overall, the proposes are contrary to HNTS1: Principle of Sustainable Development and HNTS7 Natural Capital and Ecosystem Services insofar as they fail to respect the natural capital and ecosystem services generated by the Parish (including its heritage assets). The proposal fails to take opportunities to secure a positive impact on habitats or to have due regard to the status of the National Landscape where great weight should be given to conserving and enhancing landscape and scenic beauty and where the conservation of wildlife and cultural heritage are important considerations (NPPF 176).

Note – within their response, Holme Parish Council refer to their earlier response received January 2023. The majority of the comments within that original response were reiterated in their later response and are included in the summary above. The differences between the documents mainly relate to the research into Brownsea as a non-designated heritage asset, and specific design concerns which are no longer relevant due to the amended plans received.

Local Highway Authority: **NO OBJECTION** subject to standard access/turning area condition.

Environment Agency: **NO OBJECTION** provided detailed comments relating to flood risk impacts, lack of resilience measures being detailed, lack of access/egress in flood event, and need for an evacuation plan.

Emergency Planner: **NO OBJECTION** Thank you for consulting me on the changes on this application. Because the ground floor includes sleeping accommodation I would strongly advise that if not done already the occupiers:

Should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood)

A flood evacuation plan should be prepared (more details at www.gov.uk/flood):

This will include actions to take on receipt of the different warning levels.
Evacuation procedures e.g. isolating services and taking valuables etc
Evacuation routes

Environmental Quality: **NO OBJECTION**, recommended asbestos informative.

Historic Environment Service: **NO OBJECTION**, no known archaeological implications.

Conservation Officer: **NO OBJECTION**, comments summarised as follows:

16.04.2024 – ‘Following our further comments to you in February, we note that no changes to the scheme have been submitted by the agent. However, in line with our comments submitted, we do not object to the proposal as it stands.

Please consider conditions relating to the following;

- Joinery details
- Details of all external materials including a sample panel
- Landscaping scheme – hard and soft
- Rainwater goods
- Extractor vents and flues’

19.02.2024 The Conservation Officer provided detailed responses to the claims of the Parish Council with regard to the dwelling being a non-designated heritage asset. The comments are summarised as follows, and discussed in depth within the report below:

- Brownsea is of some local interest (communal value), a local history society has recently taken some interest in the buildings and a group.
- Brownsea is the work of Shirley Harrison of Stockdale Harrison & Sons who are responsible for Listed Buildings in Leicester and beyond. This is evidential value.
- Four dwellings are linked by Holme Parish Council – Brownsea, Little Holme, Seagate and Farm Corner (No.48 Beach Road, an adjoining neighbour). Only No.48 is included as an ‘important unlisted building’ within the Conservation Area Character Statement. As a group of 4 they share little which would mark them out as being by the same architect.
- Some of the existing dwelling’s features are typical of the practice’s work however it is not necessarily representative of their typical domestic architecture at the time
- The building can be considered a non-designated heritage asset, has aesthetic value and fits well into the landscape, it has historic value in that it is an example of neoclassicism architectural style.
- The building is deteriorating and suffering from damp and vegetation ingress. Its likely that repairing the building as it stands would lead to significant loss of historic fabric.

Historic England: NO COMMENT ‘Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.’

CAAP: the Conservation Area Action Panel originally objected to the submitted scheme, which has since been redesigned. To date, no further comments on the revised scheme have been submitted.

Arboricultural Officer: Recommended submission of Arboricultural Impact Assessment, with the following comments (summarised):

- The application site was not supported by arboricultural information to allow full assessment of the impact on trees.
- It is apparent that almost all the vegetation along the front of the site has been removed leaving the whole site very open and making it very different from the rest of Beach Road.
- The arrangement of the North elevation may lead to increase in pressure from the increase of glazing along this elevation.

- A tree preservation order will help protect the trees. A more modest property moved away from the northern boundary by a few metres would reduce further any potential future conflict with these trees.
- If consent is granted, conditions should ensure that suitable level of arboricultural information comes forwards – an arboricultural report, tree protection details, site supervision, hard and soft landscaping details & implementation.
- Recommended pre-commencement condition relating to planting of a hedge along the front boundary.

REPRESENTATIONS NINETEEN letters of **OBJECTION** (FIVE received following re-consultation on amended plans), comments summarised as follows:

- Inappropriate development and poor design.
- Original scheme relocated to more prominent area and infills green space between dwellings.
- Loss of trees and impact on biodiversity and street scene character.
- Design does not reflect surrounding.
- Impact on Dark Skies.
- Loss of unique character of existing dwelling.
- Overlooking of adjoining properties.
- Dwelling is out of character with the local character.
- Dwelling is excessively large.
- Concern over construction vehicle parking.
- Existing house is architecturally significant & well suited to the area.
- Run-off from hard surfacing to Beach Road.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

HNTS 1: Principle of Sustainable Development

Policy HNTS7: Natural Capital and Ecosystem Services

Policy HNTS11: Street Scene, Character and Residential Environment

Policy HNTS12: Conservation Area

Policy HNTS13: Heritage Assets

Policy HNTS16: Replacement Dwellings

Policy HNTS17: Extensions, Annexes and Outbuildings

Policy HNTS20: AONB Landscape Quality

Policy HNTS22: Biodiversity

Policy HNTS25: Traffic and Car Parking

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

Principle of development

Design, Heritage Impacts and Impacts on the Conservation Area

Impact on the National Landscape

Trees and Loss of Hedgerows

Impact on Neighbours

Highway safety

Flood risk

Other material considerations

Principle of Development:

The application seeks consent for the construction of a replacement dwelling in Holme Next The Sea. The principle of replacement dwellings is acceptable in accordance with Policy DM5 of the SADMPP (2016) and Policy HNTS 16 of the Neighbourhood Plan, subject to a suitable design coming forward.

Holme Neighbourhood Plan

A key concern of the Parish Council relates, in part, to the floor space requirements and policy HNTS 16.

Policy HNTS 16 specifies that replacement dwellings should not increase Gross Internal Flood Space by more than 40%. Measurements have taken place based on the definition of Gross Internal Floor Area provided within the Glossary of the Neighbourhood Plan.

The definition included in the Neighbourhood Plan document (IPMS 3) specifies that areas of upper floor stairwells, upper-level voids of an atrium, ground floor patios/decks, external car parking or other ground floor areas not fully enclosed are excluded from the definitions. External open sided balconies are included within the measurements.

The existing floor space of the property totals 222.5m² (176.5m² ground floor and 46m first floor). 40% more than this is 311.5m².

The proposed dwelling, excluding covered areas to ground floor, first floor stairwell and the car port (discussed below) totals 312m² (201m² ground floor and 111m² first floor). This is only marginally above the 40% allowance (40.22%). The very minor increase in floor space above the required level would not form a reason for refusal for this application. The proposal is considered to comply with the overarching aims of the policy in regard to preventing substantial increases in the size of dwellings.

Policy HNTS 16 of the Neighbourhood Plan states that when calculating the GIFA of the original dwelling, outbuildings should be excluded. The existing garage on site is attached to the main dwelling and therefore has been included in the 'existing dwelling' calculations above. The policy does not however specifically address the situation of calculating the GIFA for the proposed dwelling where this includes outbuildings. It's reasonable to consider that proposed outbuildings are also excluded from the GIFA so as to ensure a like for like comparison. This approach was confirmed by the Inspector under application ref 21/00457/F (an application elsewhere in Holme).

Notwithstanding this, the car port (which has a GIA of 47m²) proposed is not-fully enclosed, parking areas that are not fully enclosed are specifically excluded from the RICS IPMS standards and therefore would not contribute to the overall floor space measurements discussed throughout this report. If the car port were to be included within the figure, the floor area would total 357sqm which aligns with the Holme Parish Council's calculations however, it is your officer's opinion that table 6 of the IPMS excludes the car port from the definition and therefore, the floor space meets the requirements of Policy HNTS16. As of the date of writing this report, the Parish Council have been asked for their views on this calculation and any further updates will be provided to Members via late representations.

Conditions can be used to ensure that the proposed carport is not enclosed by doors or other means and therefore is retained for parking whilst not contributing towards the GIFA. Conditions can be used to ensure that the proposed carport is not enclosed by doors or other means and therefore is retained for parking whilst not contributing towards the GIFA. This is consistent with the Eastgate Barn application which was determined by Members at the Planning Committee Meeting in July 2023 (22/01884/F).

To summarise, it is your Officer opinion that the GIFA of the proposed development complies with HNTS16 when the Neighbourhood Plan definition is taken into account as written. The dispute appears to stem from the inclusion of the car port within the proposed GIFA, which as per Table 6 of the IPMS standards should be excluded from the measurements as an 'External car parking and other ground floor areas that are not fully enclosed'

The principle of development therefore complies with the Development Plan, subject to consideration of design, heritage and other implications discussed in depth below.

Design, Heritage Impacts and Impacts on the Conservation Area

Policy Context

Policy HNTS 16 specifies that replacement dwellings must conserve and enhance landscape and scenic beauty and be appropriate to their location in the National Landscape (previously AONB).

The existing dwelling is of a traditional form and is sympathetic to the rural character of the immediate locality.

Policy HNTS 12 relates to protecting the setting of the Conservation Area and specifies that particular regard should be given to 'The effect of the proposal on the significance of any designated or non-designated heritage assets shown on the NDP Heritage and Conservation Area Maps. The application site is not shown as a non-designated heritage asset on this map. Despite this, Holme next the Sea Parish Council refer to the application site as a non-designated heritage asset due to research that was undertaken by the village history group during the course of this application.

The part of Policy HNTS 12 that refers to non-designated heritage assets does not therefore apply to the development; however, the remainder of the policy includes impacts on the Conservation Area as a whole, and the NPPF provides its own provisions for the consideration of non-designated heritage assets and therefore assessment takes place as follows.

The Existing Dwelling

Research into the history and architecture of Brownsea and a collection of 3 other similar dwellings along Beach Road (Farm Corner, Seagate and Little Holme) took place during the course of this application by a local history group. Brownsea is believed to have been the work of Shirley Harrison, the son of Stockdale Harrison, a well-known architect in the Leicester area. The architecture practice is responsible for various Listed Buildings in Leicester and beyond.

The conservation area appraisal document itself does not specifically mention the buildings on Beach Road, only that it is intensely rural in character and mature hedgerows are a key characteristic. Number 48 Beach Road (Farm Corner), south of Brownsea, is the only property of the 4 to be recognised as an 'important unlisted building' despite three of the four dwellings being in the conservation area.

Brownsea, and the other 3 dwellings do have some of the classical features which would be expected from the firm of Stockdale Harrison and Sons however the overall design is not entirely representative of the domestic architecture the firm typically produced. Irrespective of this, the four dwellings as a group share little that would clearly mark them out as being designed by the same architect however are alike in that they are low key and have assimilated well into the landscape. The group of dwellings do make some contribution to the Conservation Area and each dwelling could be considered a non-designated heritage asset.

Classification as a Non-designated Heritage Asset

The Conservation Team provided detailed advice on how to assess a non-designated heritage asset and its contributions to the Conservation Area.

When considering whether something is a non-designated heritage asset, the Conservation Team use Historic England's values to guide a response. these values are;

Aesthetic Value - Brownsea has assimilated well into the landscape and the proportions and materials are clearly of the area. It is a mixture of vernacular and polite architecture which

does not quite sit comfortably together as the portico appears rather attached onto the front for show rather than to actually achieve an architectural style.

Historical and Evidential Value – Brownsea is a product of the time and show the architectural style of neo classicism attempted in vernacular architecture, the link back to Shirley Harrison is further reference to its Historic Value and also to a degree of Evidential Value.

Communal Value – Brownsea is of some local interest and has a communal value in terms of the people who live in the village & have previously occupied the house or the other 3 houses.

Brownsea is therefore a non-designated heritage asset, and this is not disputed. However, rather than the style of the building and the fabric, it is considered that the form and scale, as well as the way it integrates into the street scene (aesthetic values) makes a greater contribution to the character and significance of the area than the architect who created them (evidential and historical).

Current Condition

The condition of the building itself is deteriorating. The building is suffering from damp and much vegetation ingress. There are large cracks through the building and water is coming in through the roof. Due to the extent of decay, it is highly likely that through the repair process, as well as the thermal upgrading required for living, that much original fabric would be lost in the process.

Assessment

The primary importance of Brownsea to the Holme Conservation Area seems to lie in its contribution to the street scene in terms of its form, scale, massing, and landscape treatment. These factors combine to make Brownsea a recessive building that retreats into the site and used to be hidden behind a mature hedge, retaining the rural feel of the street.

It is clear that the existing building has some local interest being of a good scale and form and being designed by a nationally known architecture practice.

The proposed plans for the replacement dwelling at Brownsea are, as revised, much more in keeping with the architecture of the area and are of a form which in many ways echoes that of the existing. The proposed car port will be set back behind replacement planting and is in a similar position to an existing larger outbuilding at No. 48 Beach Road.

The proposed scheme echoes the form of the existing building and uses vernacular materials commonly found elsewhere throughout the conservation area. Whilst comments from the Conservation Team relating to the lack of chimneys and breaking up the larger expanses of roof slope are noted, the overall design of the dwelling is reflective of the wider character of Holme next the Sea and maintains Brownsea's position and relationship with the street scene.

Conditions can be used to ensure that the landscaping scheme and other details come forward to further establish the dwelling within its plot without detriment to the character of the street scene. Mature planting along the west boundary can be specifically controlled via condition to replace what has previously been removed.

The Conservation Team raise no objection to the scheme on balance and subject to detailed conditions including landscaping (discussed below), materials, joinery, flues/extractor vents and rainwater goods.

As noted above, the proposed development is acceptable in design and its construction, in isolation, would have a neutral impact on the character and appearance of the Conservation Area.

Planning Balance

The demolition of a non-designated heritage asset will cause a degree of harm which must be balanced against public benefits in line with the NPPF (2023).

The application must also be considered against fallback positions provided by legislation such as the General Permitted Development Order which would allow substantial alterations to take place to the dwelling without the need for planning consent to be granted, for example rear extensions, additions/alterations to windows etc.

The existing dwelling is deteriorating and suffering from damp, vegetation ingress, water ingress and large cracks and in need of repair. It is likely therefore that, irrespective of whether planning permission is granted or not, that significant works would take place which would in their own right have an impact on the appearance of the dwelling and its aesthetic value as a non-designated heritage asset.

As discussed in more detail below, the proposed dwelling would provide some betterment in regard to flood risk and safety during a flood event.

Given the level of flood risk on site and the existing dwelling's lack of flood resistance and resilience measures, whilst no formal structural survey has been provided, it is clear that the current dwelling does not benefit from raised floor levels and is deteriorating to an extent that a larger flood event could lead to significant impacts on the structural integrity of the dwelling as well as significant impacts of the safety of any occupants.

The construction of a replacement dwelling would allow suitable flood resistant and resilience measures to be incorporated into the design and conditioned for retention throughout the property's lifetime. This is a benefit to the community which is considered to outweigh the lesser degree of harm identified to occur as a result of the loss of the non-designated heritage asset.

It is considered, on balance that the principle of demolition of the dwelling and replacement with a flood resistant dwelling of appropriate design is acceptable. For the reasons discussed above, the building's design, scale, height and massing are considered appropriate for the site's position within the settlement and Conservation Area. Subject to conditions, the design therefore complies with the overarching aims of the NPPF (2023) in regards to design and heritage assets, Policies CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the SADMPP (2016) and Policies 12, 16, 17, 20, 22 of the Holme Next The Sea Neighbourhood Plan.

Impact on the National Landscape

The application site is within the National Landscape (previously AONB). As a result of the design changes that have taken place during the course of this application, and considering the landscaping and materials details which will be controlled via condition, the proposal is not considered likely to lead to any adverse impacts on the National Landscape.

The street scene is intensely rural in character, with low density dwellings around a verdant street scene. The site will be viewed in association with the residential properties in either direction and the provision of appropriate landscaping, particular along the front street scene boundary will limit any visual impacts.

The application therefore complies with Policies NPPF (2023) in regards to design and heritage assets, Policies CS07, CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the SADMPP (2016) and Policies 12, 16, 17, 20, 22 of the Holme Next The Sea Neighbourhood Plan.

Trees and Loss of Hedgerows

Prior to this application being submitted, a mature hedgerow was removed from the front boundary, and various trees removed/cut back. This has left the site significantly more open and visible within the street scene compared to recent history. Consent was granted for this removal under application 22/00202/TREECA.

To date, the Applicant has not provided any detailed landscaping plans to show the reinstatement of this hedgerow either in whole or in part. It is clear however that landscaping will form an important part of integrating the new dwelling into the primarily verdant street scene. Therefore, full landscaping conditions are recommended, specifically that the front (west) boundary of the site should be replanted in accordance with a detailed scheme to be agreed by the LPA. This will soften the replacement dwelling within its context and resolve some of the issues raised by the Parish Council and neighbouring residents.

Considering the position of remaining trees/hedges across the site, no significant impacts are considered likely as a result of the proposed development. Alongside standard landscaping conditions, additional conditions can be used to ensure that no trees or hedgerows on site are removed without agreement from the Local Planning Authority. This will ensure that the final landscaping plans retain the majority of remaining existing trees which will protect what is left of the setting of the plot.

The Arboricultural Officer provided comments which referred to the pressure on the trees along the north boundary of the site due to the increase in glazing on the north elevation. The windows proposed on the north elevation primarily serve either non-habitable rooms or rooms which benefit from windows in other elevations. On the ground floor, the windows serve a plant room, utility room, a vaulted entryway/landing, a boot room and an ensuite. The entryway is also served by windows on the south elevation. At first floor, the windows serve bedroom 1, an ensuite, bedroom 4 and another ensuite. Bedroom 4 is the only habitable room on the north elevation which is not served by other windows.

Therefore, as a whole, it is considered that the internal layout of the dwelling is appropriately designed to minimise the pressure on the trees whilst continuing to respect the historic plot layout and position of the dwelling within the street scene acknowledged in the section above.

The Arboricultural Officer also recommended that the front boundary hedge is conditioned for replacement as a pre-commencement condition, due to the importance of verdant boundary treatments within the immediate street scene. These comments are noted; however, it is not considered necessary to strictly control the replacement hedgerow separately to the other landscaping conditions which require compliance prior to occupation of the unit. Members should consider the timing of the proposed landscaping conditions and whether this suitably controls the proposed developments landscaping and final appearance from the street scene.

The serving of a Tree Preservation Order on site could better control future impacts on the trees with merit. The Arboricultural Officer is considering the serving of a Tree Preservation Order on site as of the date of writing this report. In the interim, the trees as existing are protected by virtue of being in a Conservation Area, and recommended conditions will further control works without granting of consent by the Local Planning Authority.

The NPPG and PPG set out that Local Planning Authorities should consider the suitability of appropriately worded planning conditions to control adverse impacts. On the basis that planning conditions can suitably control landscaping details and ensure that mature species planting is utilised along the west boundary of the site, the impact on the character of the street scene and Conservation Area as a result of the development would be limited.

Subject to the aforementioned conditions, the impacts on trees are considered acceptable and comply with the NPPF (2023), Policies CS06, CS08 and CS12 of the Core Strategy (2011), Policy DM15 of the SADMPP (2024) and Policies 1, 7, 11, 12, 20 and 22 of the Holme Next the Sea Neighbourhood Plan.

Impact on Neighbours

The Parish Council responded with concerns that the proposed balcony will lead to loss of privacy for Holme Stables. The application site is well distanced from any of the private amenity spaces associated with Holme Stables (in excess of 90m). The balcony provides an outlook towards the large fields to the north of these properties and the existing pond. The amenity impacts associated with Holme Stables are therefore considered acceptable.

The nearest neighbour adjoins the site to the south. The proposed development is well-distance from this neighbour (in excess of 25m between the single storey element of this dwelling and the shared boundary) and any significant impacts in regard to overbearing/overlooking are therefore limited. The increase in floor levels for flood risk purposes (approx. 0.5m

As a result of the limited width and lack of parking provision on the adjacent road, a construction management plan (CMP) condition is recommended to ensure that parking for construction workers can take place safely and without dis-amenity impacts. Subject to a condition controlling the CMP, the impacts on neighbours are considered acceptable and comply with the NPPF (2023), Policies CS08 and DM15 of the Local Plan and Policy

Flood Risk

The application site is in Flood Zones 2 & 3 of the Borough Council's SFRA (2018). As a replacement dwelling, the sequential test is deemed to be passed however the proposal must pass the exceptions test and be considered safe for its lifetime.

The principle of a replacement dwelling complies with the local plan and the proposed plans demonstrate a betterment in regard to flood resistance and resilience measures, including raised floor levels. The application must be considered on the basis that the fall-back position is that of continued use of a dwelling that is stated by the applicants as being structurally compromised and where the existing dwelling has no known flood resilience measures in place.

The Environment Agency do not object to the application however put the onus on the LPA to consider flood risk implications in full. Conditions can be imposed to ensure that additional detail in regard to further flood resilience and resistance measures are provided and implemented prior to first occupation. This provides a safety benefit directly for the occupants of the dwelling.

Site levels vary from approx. 4.3m OD adjacent to the access point to 5m OD to the south. The existing house generally sits at between 4.4mOD and 4.65M OD. Therefore, flood depths on site are around 1.24m in the 0.5% (1 in 200) annual probability flood event including climate change. The flood risk assessment proposes a finished floor level of no less than 4.8mAOD and so whilst the ground floor (in the absence of detailed resistance measures) would be impacted in the event of a flood, the first-floor level (approx. 7.4m AOD) would provide safe refuge above the 0.5% AEP level. A first-floor level of 7.4m AOD is also above the 0.1% (1 in 1000) annual probability event, which has an estimated level of 6.57mAOD.

Given that safe refuge is identified as a fall-back mitigation measure it is important that the building is structurally resilient to withstand the pressures and forces (hydrostatic and hydrodynamic pressures) associated with flood water, as per the requirements of the PPG. Conditions can ensure details come forward once the structural calculations for the building are finalised.

The EA and the Parish Council's comments on access during a flood event are noted. An Emergency Flood Evacuation Plan can be conditioned. Considering there is no uplift in the number of residential units proposed, the provision of an evacuation plan is considered suitable to overcome this issue.

To conclude, this application seeks full planning permission for a replacement dwelling. The principle of residential use is established by the extant dwelling on site and therefore, the provision of a replacement dwelling will not increase the number residential units at risk in a flood event. Furthermore, the existing dwelling has no known flood resilience or resistance measures incorporated into its design. This application therefore provides a degree of betterment, proposing raised floor levels and a first-floor level which allows safe refuge. Conditions can be used to further ensure that the building is constructed to withstand hydrostatic pressure as well as to confirm additional resilience and resistance measures that can be incorporated into the scheme. This provides further betterment when compared to the unrestricted extant use. A flood evacuation plan will also be conditioned in line with the Emergency Planner's requirements.

As a whole, the proposal therefore complies with the overarching aims of the NPPF (2023) in regard to flood risk.

Other material impacts:

Highways – The application site's existing access will be retained as part of the development. Sufficient parking area is provided on site and has not drawn objection from the Local Highway Authority and the highway safety implications comply with Policies CS11 and DM15 of the Local Plan and Policy HNTS 25 of the Neighbourhood Plan.

Specific comments or issues:

Response to the Parish Council and Third Parties

The majority of comments from the Parish Council and within Third Party representations have been addressed within the main body of this report. The remaining comments are addressed as follows:

The Parish Council's comments with regards to the Sequential Test are noted, however it is not appropriate to state that other replacement dwellings could be built in completely different settlements and therefore the Sequential Test cannot be passed. Where the

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sequential test is necessary, the Local Planning Authority's established protocol is that the sequential test takes place on a settlement-wide basis. The NPPF (2023) and PPG detail that the sequential test must be based on 'reasonably available' sites, and, suggesting that a dwelling could be built in Downham Market or Kings Lynn or East Rudham at a lower level of flood risk would be unreasonable. Notwithstanding that, as discussed in the Flood Risk section above, the application is for a replacement dwelling, does not increase the number of residential units at risk in the event of a flood and does not increase the vulnerability of the development in regard to Annex 3 of the NPPF and the sequential test is not required.

Comments on surface water flooding are noted. Conditions are recommended to ensure that foul and surface water drainage details come forward prior to commencement of development. Landscaping conditions can ensure that landscaping to the front of the dwelling remains permeable or has method to guide drainage away from Beach Road.

Neighbour comments refer to dark skies. The proposed dwelling has more glazing than the existing dwelling, some of which is partly shielded from wider views by reason of the courtyard shape. Conditions can be imposed to ensure that external lighting meets the requirements of HNTS 20. As the existing site is residential in nature, it is not considered necessary to further control glazing types to prevent any disturbance to wildlife. The impact on the National Landscape (previously AONB) is acceptable, and the landscape and scenic beauty of the village will be preserved.

CONCLUSION

The NPPF reiterates the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that applications for planning permission must be determined in accordance with the development plan unless strong material considerations indicate otherwise.

It is considered, on balance that the principle of demolition of the dwelling and replacement with a flood resistant dwelling of appropriate design is acceptable. For the reasons discussed in detail above, the building's design, scale, height and massing are considered appropriate for the site's position within the settlement and within the Conservation Area. The flood resilience and resistance measures included within the design and controlled via condition are considered to outweigh the lesser degree of harm associated with the demolition of a non-designated heritage asset of local interest.

Conditions can control, drainage, flood resilience measures, landscaping details, impacts on existing trees and material details and ensure that the policies of the neighbourhood plan are complied with in regard to dark skies.

Subject to conditions, the design complies with the overarching aims of the NPPF (2023) in regard to design and heritage assets, Policies CS08 and CS12 of the Core Strategy (2011), Policies DM5 and DM15 of the SADMPP (2016) and Policies 12, 16, 17, 20, 22 of the Holme Next The Sea Neighbourhood Plan.

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:
*22033 03 Rev G *22033 02 Rev G
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No work or other operations development shall take place on site until a scheme for the protection of the retained hedges and trees in the form of a site specific Arboricultural Method Statement (AMS), and accompanying hedge and Tree Protection Plan has been approved in writing with the Local Planning Authority. This scheme shall include:
 - a, Site layout plans to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and root protection areas (section 4.6 of BS5837:2012) of every retained hedge and tree on site and on neighbouring or nearby ground, superimposed on the layout plan. The positions of all hedges and trees to be removed shall be indicated on this plan.
 - b, the details and positions (shown on the plan at paragraph (a) above) of the Hedge and Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures. These details are to be identified separately where required for different phases of construction work (e.g. demolition, construction, hard landscaping). Barrier and ground protection offsets must be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection.
 - c, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.
 - d, the AMS shall include details for the installation of any temporary ground protection, excavations, or other method for the installation of any hard structures or underground services within the minimum root protection areas of any retained tree.

The approved Hedge and Tree protection must be erected prior the commencement of development on site and remain in place for the duration of works. All tree protection works shall be carried out in complete accordance with the approved details.

- 3 Reason: For the avoidance of doubt and to ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 4 Condition: Any trees or hedges within the site shall not be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval, or which die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of similar size and species in the next available

planting season, unless the Local Planning Authority gives written approval to any variation.

- 4 **Reason:** For the avoidance of doubt and to ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 5 **Condition:** Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority.

The landscaping plan shall include the provision of a mature, native species rich hedgerow along the front (west) boundary of the site. The hedge shall comprise a staggered row of whips no less than 60cm in height.

The specific details shall include:

- i. Hard landscape works, to include but not be limited to, finished levels or contours, hard surface materials, refuse or other storage units, boundary types, and any paved surfaces (including manufacturer, type, colour and size) underground modular systems, and sustainable urban drainage integration where appropriate.
- ii. Soft landscape works, to include planting plans (which show the relationship to all underground services and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree planting details including method of staking, and irrigations, detailed design proposals for tree planting pits/trenches including, but not limited to, locations, soil volumes in cubic metres, structural soils, root barriers cross sections and dimensions. The details shall include a establishment plan to provide for the initial establishment and maintenance of all landscaped areas for a minimum period of 5 years and specify the maintenance responsibilities and arrangements for its implementation.

- 5 **Reason:** To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 6 **Condition:** No work or other operations development shall take place on site until details of all Arboricultural Supervision to include a schedule of site supervision and monitoring of the arboricultural protection measures as approved in condition 3 above have been submitted to the Local Planning Authority for approval in writing. Site arboricultural supervision and monitoring shall thereafter be carried out in strict accordance with the approved details.
- 6 **Reason:** For the avoidance of doubt and to ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.
- 7 **Condition:** No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used;
- (b) the location of any temporary buildings and compound areas;
- (c) the location of parking areas for construction and other vehicles;
- (d) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway; and,
- (e) a scheme for the management and signage of all construction traffic.

The development shall be carried out in accordance with the approved construction management statement throughout the construction period.

- 7 **Reason:** For the avoidance of doubt and in the interests of the amenities of the locality in accordance with the NPPF (2021) and Policy DM15 of the SADMPP (2016) and HNTS 22 of the Holme next the Sea Neighbourhood Plan.
- 8 **Condition:** Prior to the first use of the development hereby permitted the proposed on-site car parking/turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 **Reason:** To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF (2023) and Policy DM15 of the SADMPP (2016) and HNTS 25 of the Neighbourhood Plan.
- 9 **Condition:** No development shall commence until full details of the foul and surface water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 **Reason:** To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 10 **Condition:** Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10 **Reason:** To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 11 **Condition:** No development shall commence on any external surface of the development until a sample panel of the stonework and facing bricks to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.

- 11 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 12 Condition: No development over or above foundations shall take place on site until full details of the window style, reveal, sill and header treatment has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 12 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 13 Condition: Full details of all new gutters and down pipes and any vents, flues, soil pipes or meter boxes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation on site. The development shall be implemented in accordance with the approved details prior to the first occupation of the dwelling.
- 13 Reason: To ensure that such details appropriate and will not cause detrimental impacts to the Conservation Area in accordance with the principles of the NPPF.
- 14 Condition: All external lighting associated with the proposed development shall be installed and maintained in accordance with the following requirements:
 - (i) Fully shielded (enclosed in full cut-off flat glass fitments)
 - (ii) Directed downwards (mounted horizontally to the ground and not tilted upwards)
 - (iii) On a motion timer or similar (i.e. no dusk to dawn lamps)
 - (iv) LED luminaries to be used wherever possible
- 14 Reason: In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF.
- 15 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 15 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.
- 16 Condition: Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order (2015) as amended, no doors/gates/other means of enclosure shall be installed/erected to enclose the car port proposed on dwg No. 22033 03 Revision G.
- 16 Reason: For the avoidance of doubt and in accordance with Policy HNTS 16 of the Holme Next the Sea Neighbourhood Plan.
- 17 Condition: The development hereby permitted shall be carried out in full accordance with the recommendations of the Flood Risk Assessment written by Ellingham Consulting and submitted as part of this application. In particular, the document states:
*The ground floor of the dwelling will be set at +4.8m AOD.

*The occupiers of the dwelling should register to receive flood warnings and an Emergency Evacuation Plan should be created

*At least 0.5m of flood resilient construction shall be incorporated above finished floor level.

- 17 **Reason:** In order to prevent an increased risk of flooding in accordance with the principles of the NPPF.
- 18 **Condition:** Notwithstanding the information submitted as part of this application, no development shall commence on site until a full scheme/engineers report for the replacement dwelling and associated structures to withstand the hydrostatic and hydrodynamic pressures associated with flood water in the event of a severe flood event has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme should include details of flood resilience and resistance measures which will be incorporated into the design and shall be fully implemented in accordance with the details agreed prior to the first occupation/use of the dwelling hereby permitted and retained as such in perpetuity thereafter
- 18 **Reason:** The application site lies in an area which is at significant risk of flooding, the submission of a full structural scheme is required to ensure that the development can be made safe for its lifetime in line with the NPPF (2023) and the Borough Council's Flood Risk Design Guidance and Policy CS08 of the Core Strategy (2011).
- 19 **Condition:** All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation or use of any part of the development. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 19 **Reason:** To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Policies CS08 and DM15 of the Local Plan and the overarching aims of the Neighbourhood Plan.