

**AGENDA ITEM NO. 9/2(i)**

<b>Parish:</b>	<b>Wimbotsham</b>	
<b>Proposal:</b>	<b>Two storey rear and single storey extensions to side and rear of existing dwelling, following removal of existing extensions and shed &amp; construction of a new garage/garden store &amp; alterations to existing vehicular access.</b>	
<b>Location:</b>	<b>Bernina 22 Church Road Wimbotsham King's Lynn</b>	
<b>Applicant:</b>	<b>R &amp; J Hurst</b>	
<b>Case No:</b>	<b>24/00740/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Kirsten Jeavons</b>	<b>Date for Determination: 13 June 2024 Extension of Time Expiry Date: 8 July 2024</b>

**Reason for Referral to Planning Committee** – Called in by Cllr Spikings

**Neighbourhood Plan:** No

**Case Summary**

Planning permission is sought for a 2-storey rear extension, 2 single storey side extensions, a single storey rear extension and a large, detached garage.

The application site is located within the development boundary of Wimbotsham, which is classed as a Rural Village within Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP 2016).

The application site is located to the southwest of Church Road and situated within the Wimbotsham Conservation Area.

The existing dwelling is a detached, 2 storey, mixed red brick dwelling with a hipped roof and attached flat roof garages at the rear.

**Key Issues**

Principle of development  
Form and character and impact on the Conservation Area.  
Highway safety  
Other material considerations

**Recommendation**

**REFUSE**

## **THE APPLICATION**

The application site is located within the development boundary and Conservation area of Wimbotsham.

The site is located to the Southeast of Church Road. Church Road is the main route through the village and is characterised by a range of historic cottages and bungalows.

The proposal is made up of 5 elements:

- A 2-storey rear extension
- A single storey rear extension
- A single storey side extension to the northwest
- A single storey side extension to the southeast
- A detached garage

The existing garages, shed and single storey extension would be demolished as part of the proposal.

## **SUPPORTING CASE**

Summarised as follows:

An earlier application to extend this dwelling was withdrawn following objection from the Assistant Conservation Officer.

The Assistant Conservation Officer correctly identified that the house sits on a large plot in the Conservation Area, but she considers it to be a 'large building', something that is contested. The original house, including the living room extended on the ground floor amounts to only 45m<sup>2</sup> upstairs and 54m<sup>2</sup> downstairs - a total of only 99m<sup>2</sup> floor area - hardly a large house. The remaining, hotch-potch, flat roof extensions and garages on the rear are of no practical use. The house maybe looks larger than it actually is because of its slightly elevated position and high eaves level.

The Assistant Conservation Officer stated that the property is "unusual within this location as the majority of properties are small scale rural cottages or modest bungalows". Again, this is contested because, although there are bungalows on either side of no.22 and some "rural cottages", there are also a considerable number of two storey dwellings much larger than no.22, in quite close proximity to the site and throughout Church Road in general.

The Assistant Conservation Officer pointed out that the property is of no historic value and has a neutral impact on the CA. It is suggested that this will remain the case once the house has been extended. The extensions will make a small dwelling liveable by today's standards and of a scale suitable for the plot in which it sits.

In order to overcome the specific objections to the earlier application, the two-storey part of the scheme has been moved to the rear of the dwelling and the single storey parts improved visually. This means that, in terms of street scene, the appearance of the dwelling will be little changed.

There are no objections other than those of the Assistant Conservation Officer and the application is supported by the Parish Council. The Assistant Conservation Officer's comments are much the same as for the first application and appear to bear no relationship to the amended scheme. There are no alterations to the front elevation and the two-storey part of the extension won't be seen from the road.

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The planning Officer commented that the application was going to committee due to a call in, and the amended plans had been discussed and were deemed unacceptable. They had previously recommended coming in for pre-app prior to resubmission following the withdrawal of the previous application. The call in seems to suggest that the applicants are being penalised for not seeking pre-app advice. However, the reason for this had already been explained to both the Planning Officer and the Assistant Conservation Officer in an email which stated that the time for a pre-app to be determined would delay the commencement of building works and therefore a full application was resubmitted straight away.

The proposed extensions and garage are all set well back from the existing house frontage and in a very large garden area. There will be no impact on the street scene and no overlooking or overshadowing. Views along Church Road will not be affected by the proposal. It is not considered that these works will have any detrimental effect on the historic characteristics of the Conservation Area. The proposal will conform with the Conservation Area objective of encouraging retention and maintenance of buildings which contribute to the overall character of the Conservation Area.

## **PLANNING HISTORY**

24/00260/F: Application Withdrawn: 09/04/24 - Two storey and single storey extensions to side and rear of existing dwelling, following removal of existing extensions and shed & construction of a new garage/garden store & alterations to existing vehicular access. - Bernina, 22 Church Road

24/00036/TREECA: Tree Application - No objection: 27/02/24 - Removal of 2 rows of Laylandi/Conifer hedging which is overgrown. - Bernina, 22 Church Road

2/79/3726/F/BR - Single storey rear and garage extensions - Bernina, 22 Church Road

## **RESPONSE TO CONSULTATION**

**Parish Council:** SUPPORTS

**Highways Authority:** NO OBJECTIONS

**Conservation Officer:** OBJECTS

This property is a large building which sits comfortably within a large plot in the Wimbotsham Conservation Area. It is unusual within this location as the majority of properties are small scale rural cottages, or modest bungalows.

Whilst this property is of no historic value, it has a neutral impact on the conservation area and street scene, set back from the road at an elevated position.

The proposed extensions will make an existing large property, extremely large, which will have an imposing, negative effect on the conservation area, contrary to the rhythm and character of the existing street scene. The odd roof arrangement and the mix of window styles and proportions on the front elevation add to the increased obtrusive presence of the building.

This current proposal will therefore harm the character of the conservation area and street scene of the small rural village by creating a building at odds with the grain of development.

Some form of discrete, sympathetic extension may be possible, but it should reflect the existing form and character of development in this location, and sit comfortably within the plot without imposing on the quiet rural character of the area

## **INTERNAL DRAINAGE BOARD: NO OBJECTIONS**

### **Environmental Quality:**

Due to the age of the property on site there is the potential for asbestos containing materials to be present. With this in mind, we recommend the applicant's attention is drawn to the Asbestos informative.

## **REPRESENTATIONS**

**NONE** received.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS12** - Environmental Assets

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **OTHER GUIDANCE**

Conservation Area Character Statement.

## **PLANNING CONSIDERATIONS**

The main considerations are:

Principle of development  
Form and character and impact on the Conservation Area  
Impact on neighbour amenity  
Highway safety

### **Principle of Development:**

The application proposes the construction of side and rear extensions to the existing dwelling and a large, detached garage at Bernina, 22 Church Road, Wimbotsham. The site is located within the development boundary for Wimbotsham and within the curtilage of the existing dwelling. The principle of development is therefore acceptable.

### **Form and Character:**

The application site consists of a detached two storey, mixed red brick 1950s style dwelling. the dwelling is a L shaped building, finished with a hipped roof and projecting bay at the front wing. The dwelling has been previously extended at the rear to provide a double flat roof garage and single storey rear extension, which would be demolished as part of this proposal. The dwelling is northeast facing. Either side of the application sites are bungalows.

Planning permission is sought for a two-storey rear extension, 2 single storey side extensions, a single storey rear extension and a large separate detached garage.

Policies CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the SADMPP 2016 states that development in rural areas should be of good design, which responds sympathetically to the local setting and demonstrates that the scale, density and layout would protect and enhance the character and quality of area, including Conservation Areas.

Development should also be in accordance with paragraphs 135, 139 and 212 of the NPPF 2023, which states that development should be sympathetic to local character, contribute positively to the Conservation Areas and be of good design.

Wimbotsham Conservation Area Character Statement states that development within the village should be undertaken in a sympathetic way to ensure no harm is caused to the essential character of the area.

The proposed two storey rear extension would be approximately 7.2m high, 5.5m wide and 6.1m deep off the existing rear elevation. A single storey rear extension would be located off the two-storey extension and would be approximately 5.5m wide, 3.7m high and 8.4m deep. The extension would be finished with Wienerberger renaissance blend facing brick, a pitched roof with plain tiles to match the existing dwelling, white UPVC windows, bifold doors and roof lights.

The proposed single storey extension to the southeast of the existing dwelling would be approximately 3.6m high, 2.7m wide and 6.4m deep. The extension would be finished with Wienerberger renaissance blend facing brick, a mono pitched roof with plain tiles, white UPVC windows and roof lights.

The proposed single storey extension to the northwest of the existing dwelling would be approximately 3.5m wide, 3.7m high and 8m deep. The extension would be finished with Wienerberger renaissance blend facing brick, a mono pitched roof with Wienerberger 20/20

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clay tiles in antique slate colour, timber door with a pitched roof shelter and white UPVC window and roof lights.

The proposed garage, with a double pitched and hipped roof, is a large structure, and would be approximately 9m wide, 12.5m deep and 5.4m high. The garage would be finished with materials to match the extensions, along with timber doors, horizontal timber cladding, oak framework and solar panels.

The principle of extending this property is acceptable however, the proposed extensions do not reflect and respect the design, roof types, proportions, and fenestration of the existing dwelling. Whilst the proposed 2 storey extension would be located at the rear of the existing dwelling, limiting the impact on the Conservation Area, in combination with the large single storey side and rear extensions amounting to 17m in depth (in parts), the extensions would not be sympathetic to the character of the existing dwelling and would be contrary to Policies DM15, CS08 and CS12 and the provisions of the NPPF. The existing dwelling is already a large dwelling within the street and the significant increase in scale would not reflect the surrounding area, which is predominantly made up of bungalows, rural cottages and smaller detached & semi-detached two-storey dwellings.

In addition, the proposed garage is very large, and in an elevated position. The garage would have an approx. depth of 12.5m, width of 9m and height of 5.4m. Whilst the principle of a detached garage is acceptable, the garage is not considered to be sympathetic in scale to the main dwelling and the surrounding properties. No.24's bungalow has an approx. depth of 9.9m and width of 9.4m, the proposed garage would be significantly bigger than the neighbouring bungalow and although set back from Church Road, with no screening treatment, the garage would be visible from Church Road, particularly given the slope on site.

In terms of fallback, whilst the principle of extensions and a garage on site would be acceptable, and under Class A and Class E of the Town and Country Planning (General Permitted Development) Order 2015 (as amended), a single storey rear extension up to 4 metres in height and depth and a garage with a max height of 4m (dual pitched roof) could be erected at the rear without planning permission. The proposed development significantly exceeds these limits and for the reasons stated above is not considered to be acceptable.

The cumulative effects of the proposed extensions and the large, detached garage would fail to comply with Policies CS06, CS08 and CS12 of the Core Strategy 2011, Policy DM15 of the SADMPP 2016 and Paragraphs 135, 139 and 212 of the NPPF 2023. The scale, height, design and massing of the combined extensions have not been designed in a way which is reflective or respects the main dwelling. The significant increase in depth and open spacing to the front and side of the existing dwelling would create a visually large and predominant dwelling in the street scene, which would not be sympathetic to the local character and would not add to the overall quality of the Conservation Area.

#### **Impact on Neighbour Amenity:**

The application site allows for sufficient separation distance to limit any adverse impacts on the adjacent neighbouring properties.

Northwest neighbour (18 Church Road)

The closest part of the proposal to 18 Church Road would be the single storey side/ rear extension, situated at approx. 4.2m from the neighbouring boundary and 7.4m from the neighbouring dwelling (No.18). With the extension being single storey and situated at a significant distance from the neighbouring dwelling, there would not be any adverse impact

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created from overbearing and overshadowing to No.18. Two roof lights and a door have been proposed on the northwest elevation, however the roof lights would be situated at an angle and would not directly face No.18 and the door would serve a utility (a non-habitable room) ensuring no increase in impact from overlooking to No.18.

The proposed two-storey rear extension would be situated at approx. 9m from the neighbouring boundary and 12.8m from the neighbouring dwelling. The significant separation distance mitigates any increase in impact from overbearing to No.18 and no windows have been proposed on the northwest elevation, ensuring no detrimental impact from overlooking as result of the proposal. The height of the proposed extension would not exceed the height of the existing dwelling and due to the orientation of the extension, the proposal would not result in any detrimental increase in overshadowing already experienced by the main dwelling.

The proposed garage would be situated approx. 14m from the neighbouring boundary and 22.9m from the neighbouring dwelling. The significant separation distance between the proposed garage and No.18 would ensure no detrimental impact from overbearing and overshadowing to No.24. While a window has been proposed on the northwest elevation, the window would serve a garden store (a non-habitable room) and therefore would not create overlooking impact.

#### Southeast neighbour (24 Church Road)

The closest part of the extension proposal to 24 Church Road would be the single storey side extension, situated at approx. 8.9m from the neighbouring boundary and 10.4 m from the neighbouring boundary. With the extension being single storey, situated at a significant distance from No.24, the extension would not cause any detrimental impact from overbearing and overshadowing to No.18. Two roof lights have been proposed on the southeast elevation of the single storey side extension, which will be situated at angle and would not cause impact from overlooking. Two windows and a door have been proposed on the southeast elevation of the single rear extension, these windows and doors would be at ground level and would not directly face No.24's dwelling, ensuring no detrimental impact from overlooking.

The proposed 2-storey rear extension would be situated at approx. 11m from the neighbouring boundary and 13m from the neighbouring dwelling. The significant separation distance ensures no overbearing impact and only one roof light has been proposed on the southeast elevation roof, which would not cause impact from overlooking because it would be situated at angle and would not directly face No.24. The extension would cause a degree of overshadowing to the No.24 in the late hours of the evening; however, the existing dwelling already causes a degree of overshadowing to No.24 and the increase in impact created by the two-storey extension is considered minimal and would not be detrimental to the neighbour's amenity.

The proposed garage would be situated approx. 2m from the neighbouring boundary and 10.3m from the neighbouring dwelling. Although the garage would be situated close to the neighbouring boundary, it would be set back from No.24's main dwelling and therefore would not cause any detrimental impact from overbearing and overshadowing. No windows or doors have been proposed on the southeast elevation of the garage, ensuring no detrimental impact from overlooking.

There are no neighbours directly to the northeast and to the southwest neighbouring boundary it would be approx. 26m from the proposed garage, 34m from the proposed single storey rear extension and 42.m from the proposed two storey rear extension and an additional approx. 17m to the neighbouring dwellings. The significant separation distance

created by No.22's garden and the neighbours gardens, would mitigate any impact from overbearing, overlooking and overshadowing to the southwest neighbouring dwellings.

Overall, due to the positioning of the proposed extensions and garage and significant distance between the proposal and neighbouring dwellings there would be little to no detrimental impact on neighbours as a result of the development. The impact to neighbours is therefore considered to be acceptable and would be in accordance with Policy CS08 of the Core Strategy 2011 and policy DM15 of the SADMPP 2016.

### **Highway Safety:**

The proposal would not impact on highway safety. Although the proposal would increase the number of bedrooms from 3 to 4, resulting in the dwelling requiring 3 parking space, the application site provided adequate space on the driveway for 3 cars and the proposed garage would also provide an additional car parking space.

The highway safety implications of the development are therefore acceptable and comply with the NPPF (2023), Policies CS08, CS11 and DM15 of the Local Plans.

### **Other material considerations :**

No implications regarding drainage on site have been identified by the Internal Drainage Board and Environmental Quality have advised an informative note to be added regarding potential the demolition of materials which could contain asbestos due to the age of the property.

The Site and Location plan states that the existing wall splay is to be removed to increase the access width and new brick piers are to be installed at the end of the existing wall. The wall has not been included as part of the proposal and it should be noted that if the height of the proposed brick piers exceeds 1m, it would require separate planning permission.

### **CONCLUSION:**

The application site is located within the development boundary and Conservation Area of Wimbotsham, and while residential development in the area is supported, development within the village should be undertaken in a sympathetic way to ensure no harm is caused to the essential character of the area. The Local Authority has a duty set out in legislation to preserve or enhance the character or appearance of conservation areas, when exercising its duties.

Extensions to residential dwellings should be designed in a way which appear sympathetic and subservient to the principal dwelling. The combination of the design, size and scale of the side and rear extensions would significantly increase the depth of the existing dwelling by over double and while the extensions would be situated to the rear, the lack of screening from the neighbouring properties and opening spacing along Church Road would result in the extensions being visible along Church Road. In addition to the large extension, the proposal also includes the construction of a 1 ½ storey detached garage which measures over 12 metres x 9 metres in floor space which in itself, is similar in scale to the neighbouring bungalow. The scale of the proposed extensions and detached garage would not reflect the surrounding properties and therefore would cause harm to the visual amenity and character of the Conservation Area.

Overall, the development fails to reflect local design policies DM15 and CS12 and government guidance (NPPF) on design and is not an outstanding or innovative design

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which promotes high levels of sustainability and therefore would not be in accordance with Policy DM15 of the SADMPP 2016, Policies CS02, CS06, CS08 and CS12 of the Core Strategy 2011 and the NPPF 2023, specifically paragraphs 135, 139 and 212.

**RECOMMENDATION:**

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

- 1 Development should be undertaken in a sympathetic way to ensure no harm is caused to the essential character of the existing dwelling and surrounding Conservation Area. The cumulative impact of the proposed extensions and large detached garage by virtue of their proportions, mass and design would not respect the building characteristics of the existing dwelling or the Conservation Area within which it is located. Therefore, the proposed design would not be in accordance with Paragraphs 135, 139 and 212 of the NPPF 2023 and fail to comply with Policy DM15 of the SADMPP 2016 and Policies CS02, CS06, CS08 and CS12 of the Core Strategy 2011.