

AGENDA ITEM NO. 9/1(c)

Parish:	Old Hunstanton	
Proposal:	VARIATION OF CONDITIONS 1 AND 4 OF PLANNING PERMISSION 23/00598/F: Demolition of existing dwelling and construction of replacement dwelling	
Location:	White Cottage 19 Wodehouse Road Old Hunstanton HUNSTANTON PE36 6JW	
Applicant:	Mr & Mrs H. Middleton	
Case No:	24/00143/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 25 March 2024 Extension of Time Expiry Date: 11 November 2024

Reason for Referral to Planning Committee – Called in by Councillor de Winton and referred by the Assistant Director – Environment & Planning

Neighbourhood Plan: Yes

Case Summary

The application site is situated on the west side of Hamilton Road at the junction with Wodehouse Road within Old Hunstanton. The site is set within the development boundary for Old Hunstanton and is outside of the Old Hunstanton Conservation Area, and also outside of the Norfolk Coast National Landscape.

The application seeks retrospective consent under Section 73A of the Town and Country Planning 1990 (as amended) to vary approved plans for the development approved under: 23/00598/F for a replacement dwelling following the demolition of the existing building. The development has already commenced and been substantially completed.

Key Issues

- Principle of development
- Form and character
- Impact on neighbour amenity
- Highway safety
- Any other matters requiring consideration prior to determination of the application.

Recommendation

APPROVE

THE APPLICATION:

The application site is situated on the west side of Hamilton Road at the junction with Wodehouse Road within Old Hunstanton, forming a prominent corner plot. Neighbouring dwellings are located to the west and south boundaries and the locality is residential in character. The site is set within the development boundary for Old Hunstanton and is outside of the Old Hunstanton Conservation Area by approximately 133m to the east, and also outside of the Norfolk Coast National Landscape.

The application seeks retrospective consent under Section 73A of the Town and Country Planning 1990 (as amended) to vary condition 1 and 4 of planning permission 23/00598/F, which is a Variation of Condition 2 of 22/01744/F for the "demolition of existing dwelling and construction of a replacement dwelling". Condition 1 relates to approved plans. Changes to the approved plans include but are not limited to the elevations, site levels and landscaping as well as the access to Hamilton Road. Condition 4 relates to retaining existing trees and hedges.

The development has already commenced and has been substantially completed.

SUPPORTING CASE

The Applicant has submitted the following (summarised):

When purchasing the site, the Applicants intention was, and remains, to create a family home in an area where they have many close family connections so that they can visit frequently with their three children as they grow up. The Applicant is relatively local to Old Hunstanton, living in Lincolnshire, and spent his childhood summers growing up on the North Norfolk coast, it has always been a special place for him. He still has two Aunts who live in North Norfolk, one in Old Hunstanton, and with both parents having passed away it is important to him to maintain a close relationship with those family members, and even more so with three small children.

The original application (Ref: 22/01744/F) was approved on 10/02/2023 and the dwelling has been built in accordance with that plan, notably in terms of dimensions, levels and position on the site. This has been verified by an independent survey conducted by PDC formerly Plandescil dated 22/03/2024, which is available to view on the planning portal. Also, of note, is the fact that the dwelling is not in a AONB or Conservation Area.

The current S73 variation of condition application seeks permission for the following minor amendments to the original application:

1. Reconfiguration of window and bifold door on first floor and addition of second window onto the balcony and resulting removal of chimney.

The resulting alterations to the balcony to accommodate the first floor window/door reconfiguration only slightly extends the length of the balustrade by 20cm and reduces its width by 60cm, which will not result in any additional privacy concerns beyond the previously approved position.

2. Addition of basement room (in the already approved footings of the dwelling) and addition of low level window.

Contrary to the objections raised, the original approved application 22/01744/F was always a three-storey building: lower ground level (partially submerged), ground floor and first floor. The addition of the lower ground floor room utilises an existing void space that already existed as part of the footings for the house. This has resulted in no additional digging, has not resulted in any changes to the structural configuration of the dwelling and has made no difference to the external appearance of the overall property. Due to the partially submerged nature of this room, there is no overlooking of any neighbouring properties.

3. Revision to driveway configuration with the addition of an in-out driveway.

Highways have already confirmed they have no objections, and it has been confirmed that the visual splays are no worse than the access arrangements according to the approved plans and enhanced versus the previous dwelling access onto the highway.

4. Alteration to rear garden due to engineering and drainage.

Due to Engineering advice received during the groundworks phase there has been a retaining wall installed adjacent to the Western boundary in order to resolve what could have been a soil erosion and drainage water run off issue for the neighbour at 19A Wodehouse Road. The approved plans show the garden from the top corner of the plot along the Western boundary sloping gently down towards the lower patio area. The Applicants have been advised that that arrangement was not suitable from an engineering and drainage perspective as it would result in runoff soil and earth in a downpour (see Structural Engineers report as part of the application). Therefore, the current retaining wall has been built in order to better retain the soil between the two sites. This is in line with the solution which the neighbouring property at 19A also has implemented in order to deal with the sloping back garden. As a result of this alteration a retaining wall was not required all the way along the boundary of 19A which would have led to increased overlooking and a taller boundary fence if built per the approved plans.

As per the current application, the Applicants have proposed planting hedges at the top of the retaining wall on either side of the steps in order to provide a privacy screen for the neighbour. The Applicants are happy for this to be made a planning condition.

5. Alteration to upper patio area.

The addition of the screen brick wall to the West end of the upper patio area has been constructed to provide privacy for the Applicants and the neighbour. Without this wall the balustrade already present along the rear decked raised walkway would continue along that edge of the patio area and provide no privacy or noise screen. In order to soften the appearance of the brick wall it has always been the Applicants' intention to grow creepers on the outside of that wall in order to make it a 'green wall'. Additionally, the Applicants have proposed blocking off the small additional area of upper patio on the inside of the screen wall in order to ensure it cannot be occupied. It should be noted the front corner of the prior property before demolition was in close proximity to the neighbouring property and was actually taller than the screen wall that has been built.

6. Alteration to lower patio area and position of steps down to lower patio area.

The size of the lower patio area has been reduced significantly and the approved swimming pool has also been removed. Additionally, the approved swimming pool and lower patio area were at a height of 15.53, c.550mm higher than the as built patio at 14.98m, and therefore the as built arrangements provide more privacy for the neighbour. Of note, the as built lower patio is no closer to the boundary than the approved swimming pool.

The steps down from the first floor patio to the lower level patio have been moved across by approx. 2 metres to the Western edge of the patio areas. Whilst these are closer to the boundary than as approved, they remain within the approved footprint of the patio.

PLANNING HISTORY

23/00598/F: Application Permitted: 31/05/23 - VARIATION OF CONDITION 2 OF PLANNING CONDITION 22/01744/F -Demolition of existing dwelling and construction of replacement dwelling - White Cottage, 19 Wodehouse Road, Old Hunstanton

22/01744/F: Application Permitted: 10/02/23 - Demolition of existing dwelling and construction of replacement dwelling - The White Cottage, 19 Wodehouse Road, Old Hunstanton

09/01835/RM: Application Permitted: 16/12/09 - Reserved Matters Application - Erection of dwelling - 19 Wodehouse Road, Old Hunstanton

07/02273/O: Application Refused: 02/01/08 - Erection of dwelling. - White Cottage, 19 Wodehouse Road, Old Hunstanton - Appeal Allowed 13/10/08

RESPONSE TO CONSULTATION

Parish Council: OBJECT

Latest comment, all responses available online:

1. Old Hunstanton Parish Council repeats its observation made on 30 July in connection with the previous application, viz. that it appears that this latest 'Variation of Conditions' is, in reality, an attempt to legitimise development by stealth and should properly be treated as a new application. There appear to be no material amendments to the previous 'Variation of Conditions' application.

2. Had the initial application, including all of the variations including the boundaries, external levels and landscaping, OHPC would have objected to the application and questions whether it would have ever been approved?

3. Local residents and neighbours are objecting, and the planning enforcement officer should make the applicant adhere to the initial agreed plans, in particular for a two storey building instead of a three storey building, which a site visit indicates it is, and, generally. We note, with approval, the current position as set out in the observations made by, the immediate neighbour to the west of the property.

4. To allow a 'Variation of Conditions' to cure breach(es) would create a wholly inappropriate and dangerous precedent for the future and badly damage the credibility of BCKLWN Planning (and potentially OHPC).

Highways Authority: NO OBJECTION

Latest comment, all responses available online:

Thank you for the amended consultation received recently relating to the above development proposal, which removes the obstructive wall introduced previously, leaving the in/out arrangement alongside the gated access to the lower level parking.

**Planning Committee
2 December 2024**

Whilst this arrangement is clumsy, I would find an objection difficult to substantiate, given the level of use associated with a single dwelling.

A condition is recommended and would be attached to any approval regarding the access to be widened and the specification confirmed.

Public Rights Of Way: NO OBJECTION

Arboricultural Officer: NO OBJECTION

Latest comment, all responses available online:

I previously objected to the proposals to remove the existing attractive healthy Robinia pseudoacacia tree that was being proposed for removal.

The applicant has submitted a revised Landscaping drawing that now shows this tree as being retained, with the Eucalyptus tree shown as being removed. This is detailed in drawing MID02.01.25. The drawing is much clearer, and this proposal is now acceptable, I have no objection to this proposal.

Community Safety and Neighbourhood Nuisance: (summarised for clarity - full responses available online)

CSNN did not comment on the previous planning applications but note that they would not support a swimming pool as previously permitted as well as raised outside seating/socialising areas higher than previously approved, given the likely noise impacts from their use on residential amenity.

The garden alongside the boundary with 19a appears to be lowered. However, the elevated patio/seating areas appear to be bordered by railings rather than a solid barrier. There is nothing in place to help attenuate noise (and overlooking), therefore the railings should be replaced by a higher, solid barrier to mitigate noise impacts on residential amenity. Concerns over people noise disturbance to neighbours, including from the use of the external shower on that elevation (west).

Recommend that a planning condition be attached to any consent issued to prohibit the alteration of the fire places (gas) to prohibit any solid fuel heating (to comply with Policy DM1, core policy CS08, and the NPPF, para 180).

REPRESENTATIONS (summarised for clarity)

Comments on Latest Submission

EIGHT public **OBJECTION** comments from **SIX OBJECTORS** regarding:

Impact on Neighbour Amenity

- The western elevation and raised terrace are closer to the boundary than approved. The increased area is not acceptable as it comes closer to the boundary.
- The repositioning of the stair from the terraces to the side of the dwelling closer to the boundary is unacceptable and overlooks neighbouring dwelling to west. Not resolved via amendments.

- Given the current state of the previously approved green roof areas and existing planting, it is unlikely that the proposed additional planting will minimise any potential overlooking into the neighbouring property.
- It has previously been stated that and approved that the dwelling would be no nearer than 5m from the boundary with the western neighbour. Terrace projection to the west is not 5m away from the boundary and overlooks neighbour's kitchen below to west.
- Previous application had a slope along the western boundary and no retaining wall. A retaining wall has now been built on the western boundary.
- The first-floor balcony looks straight into neighbour's upstairs bathroom, kitchen window and side door.
- Key issues: Lower ground floor that raised the level of the land at the southern side, Taking the neighbours 6ft fence down and replace it with a 9ft fence to accommodate the change in land levels, Change the windows, Extend the balconies, Add a BBQ area that gives the neighbours no privacy, Extend the lower patio which is very high, Move the steps to the boundary, Put in an extra dropped curb on highway land.
- Fenestration on eastern elevation, due to increased height as a result of the lower ground floor, overlooks eastern neighbour to their kitchen, first floor bedroom and garden

Landscaping and boundary treatment

- Latest submitted plans do not address previously raised issues. Putting a hedge on top of the retaining wall does not address the levels of the land or the fence (which is not replaced like for like as it was originally 6ft).
- The rear garden fencing was six foot in height (erected in October 2020) and the fencing between the two properties was four foot in height (erected in 2011). The rear garden fencing provided privacy for the occupants of 19A Wodehouse Road. The four feet high fencing maximized the available light through the window to the kitchen area of 19A Wodehouse Road.
- The boundary fencing alongside the garden areas at the rear of 19A has a high point of fourteen feet (adjacent to the White Cottage retaining wall) and nine feet high for the rest of the garden area. These increased fencing heights, compared with those shown in the photographic evidence in the Structural Report, were in order to accommodate the elevated land levels as a result of the construction of a three-storey dwelling compared with the two-storey dwelling approved by BCKLWN Planning.
- Putting a 2.5m hedge on the western side boundary will block out light to neighbour's kitchen.
- Impact from western terrace projection would not be addressed by the addition of plants.
- All of the boundary fencing shown in the two photographs filed by Atelier Associates in support of their clients retrospective as built Application was purchased and erected by the current owners of 19A Wodehouse Road. The fencing was erected on land which formed a part of the land title relating to 19A Wodehouse Road. All maintenance work carried out on the fencing shown in the two photographs has been undertaken and paid for by the current owners of 19A Wodehouse Road.
- Western boundary fence was taken down without consent/consultation with owner at 19A.
- In the passageway between the two properties a new wooden fence has been erected by the Applicants, at their own cost, on the same land as the original fencing.
- The new boundary fencing now covers the entire length of the boundary between the White Cottage and 19A Wodehouse Road land titles.

Land Levels

- Levels have changes significantly across site, no longer level garden through the rear of the properties.

- The Structural Report the author confirms that the Land Levels at the front of each of the two properties in 2022 was 14.680m. A previous third-party report filed by the Applicants confirmed the floor level for the Lower Ground floor at White Cottage in March 2024 was 13.700m.
- The level of 14.680m remained constant throughout 19A. The Structural Report identifies the land levels for each of the three elevated land tiers at White Cottage.
- The retaining wall at 19A Wodehouse Road is in respect of a slightly raised lawn area rising up from the agreed land level of 14.680m. This compares with the land level in the upper and adjacent garden of White Cottage which is estimated to be at least 15.900m. The two constructions are not connected to each other in any way.
- Does not dispute that the engineering report submitted states that the levels between houses is the same at 14.680. However, this level used to carry on to the Hamilton Road exit in the form of an in and out drive. The level of the drive into Hamilton Road is now 13.60. The 1 metre difference is no problem for the western neighbour, but the earth was taken away from this site and transported to the southern garden due to the drop from the walkway at the back door (around 5ft). This was done to try and justify the retrospective lower floor.
- This amount of mud up against western neighbour's fence also caused it to buckle and break. The builders removed the mud from against the fence and proceeded to erect a retaining wall at a right angle with their own - This shows that land is not the same between the passageway between the two houses and caused a height difference between the gardens - 19a having a 9 ft fence in this area but on the number 19 side looking 6 ft.

Drainage

- Drainpipe currently discharges water onto balcony/terrace area.
- The proposed additional retaining wall to create an effective and safe drainage system is only essential for White Cottage because of the materially elevated land levels created during construction.
- A drainage system was installed all the way to the north garden in Wodehouse Road. The house before the new build never had any drainage issues or any drains and pipes covering the whole garden. Neighbours have lived at 19a since 2011 with no drainage problems.

Process

- A variation of conditions was also passed on 01/06/2023 and was illegal and misleading to the public and BCKLWN as it still did not reveal the lower ground basement.
- Latest application (24/00143/F) seeks approval for a number of elements. The dwelling is now three-storey with an unapproved lower ground floor.
- BCKLWN allowed an extension of time for this application 'to assist the applicants'. This incorporated a reduced and re-designed two storey scheme which was considered acceptable by the case officer. It was stated that on the northern and eastern boundaries, the dwelling faced onto roads and there were therefore no neighbour impacts in these directions. However, eastern neighbours consider they are overlooked.
- Retrospective nature of the application - variations of planning conditions is not appropriate. * Previous application (23/00598/F) stated that the development must be carried out in accordance with listed approved plans.
- Applicants must 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. The application should be refused without hearing at Planning Committee due to the differences from approval to the as built dwelling.

- This retrospective application does not seek to address the breaches of the previous planning approval. An identical application (24/00143/F) was given a delegated refusal by the case officer and line manager without hearing at Planning Committee in June 2024.
- It is not disputed between the parties that the planning award made in favour of the Applicants by BCKLWN Planning was for a two-storey building. The Planning Officer Connor Smalls confirms this fact in his report dated 10 February 2023 under the heading "Form and Character".
- BCKLWN have not independently established the lower ground floor dimensions nor independently established the external levels.
- In June 2024 11:13 this application was recommended for refusal by the case officer and his manager with Ward Councillor Tom de Winton agreeing it does not have to go to planning committee.
- Applicants then decided to go back to previously approved plans, removing retrospective elements that had been built. The lower floor retrospective basement had to be retained as the house would need to be removed to omit. Nothing was put on the portal to say what happened to these plans.

Other comments

- Both of the expert opinion reports put forward by the Applicants in support of their as built retrospective application have recognized the three-storey or three land tier formation constructed to accommodate the White Cottage dwelling.
- First application was unsuccessful (22/01744/F) in terms of design, size, scale, concerns over neighbour impact to west as well as potential concerns to the south and east.

ONE public **SUPPORT** comment:

- As a very close neighbour, no objection to amendments.

Previous rounds of submissions received **THIRTY-ONE** public **OBJECTION** comments from **TEN OBJECTORS** and **ONE** public **SUPPORT** comment.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

Policy 1 - Village Development Boundary

Policy 7 - Design, Style and Materials

Policy 6 - Infill Development

Policy 8 - Height of Replac / New Bldg

Policy 9 - Water and Drainage

Policy 14 - Prot and Enhanc of NE and La

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

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

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

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of development
- Form and character
- Impact on neighbour amenity
- Highway safety
- Any other matters requiring consideration prior to determination of the application.

Principle of Development:

The principle of development for a replacement dwelling has been established within the planning history for this site and the previous permissions for a new dwelling. The most recent consent is under ref: 23/00598/F which this application seeks to vary.

The application also falls within the development boundary of Old Hunstanton, where the principle of development is supported.

Rather than a point of principle, this application turns on the impact of the changes to the previously approved scheme, including how that complies with development plan policy, particularly the Neighbourhood Plan.

The NPPF provides the national policy framework for new development. Whilst it should be read in the round, there are some areas that should be highlighted in relation to this development. For instance, the NPPF supports high quality development, and that new development should provide a high standard of amenity for existing and future users. Finally, of particular relevance is that it is stated that the Local Planning Authority should seek to ensure that the quality of approved development is not materially diminished

**Planning Committee
2 December 2024**

between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).

Form and Character:

As outlined there is extant planning permission for a replacement dwelling on site under application: 23/00598/F.

This application relates to minor changes to the ridge height of the dwelling, minor changes to the design and fenestration of the dwellinghouse, and changes to the land levels and landscaping on the site. These are summarised below for ease of reference.

Dwellinghouse:

Overall heights:

Ridge heights of the dwelling vary due to its design and changes to the land levels. Based on the previous permission, the main ridge height of the approved dwelling was 23.584m AOD (approximately 8.3m - 8.92m tall). The main ridge height of the dwelling under this planning permission is shown at 23.670m AOD (approximately 8.35m - 8.95m tall). That is an addition of approximately 86mm, which is considered to be non-material in the context of the two developments.

An extract of an independent third-party survey was submitted which corroborates the ridge height of the plans subject to this planning permission. The third-party review suggests that this minimal increase is within a reasonable building tolerance and would not have an overall visual impact.

It is considered that these minor changes would not be noticeable in the street scene and has limited impact to the overall proposal.

Changes to the *North* elevation:

- At the lower ground level there is a new high-level window, serving a new store which measures approximately 43m².
- The decking on the front elevation has been reduced in depth by 0.4m.
- A balustrade rail to replace previous screening around the ground floor decking area.
- A chimney has been omitted and in its previous location, a French door and one panel of glazing is proposed on the first floor. As a result of this, the first-floor balcony extends west-wards by 0.2m and is bound by a balustrade.
- There is a gas fireplace and flue at ground floor to the front terrace area.

Changes to the *East* elevation:

- Insertion of one lower ground level window, serving the approved garage.
- No changes to ground and first floor fenestration.
- Brick pillars to support the covered green roof, in front of the entrance door. Balustrade railing to bound this area.
- Changes to gabion wall to the lower section of the dwelling, to a flint and brick wall.

Changes to the *South* elevation:

- No changes to fenestration.
- The decking on the front (east) elevation has been reduced in depth by 0.4m.

Changes to *West* elevation:

- No changes to fenestration.
- Balustrade railing to first floor balcony and ground floor covered area (north) and adjacent to utility room door.
- Omission of chimney, as per changes to the north elevation.

These changes are not considered to materially affect the overall design of the dwelling and visual impact on the street scene. Impact on neighbours is considered in the section below.

Land Levels and Landscaping:

Landscaping has also been added across the development as a result of changes to the land levels, mainly to the west of the site.

Along the north boundary, an existing hedge, grassed land, and trees are to be retained. To the immediate north of the dwellinghouse itself, previous plans showed a raised terrace and swimming pool. These have now been removed from the plans.

Land levels to the north of the site remain 14m AOD and grassed. There are trees to the front of the site which are to be retained. The following changes to the north are proposed:

- Change in alignment of the foot path from the north boundary of the site leading into the site, joining the driveway and patio area via repositioned steps.
- The north-east driveway area to the lower ground floor area would be defined by the eastern patio wall and curved 2m brick and flint wall to the east (closest to the roadside the wall is below 500mm height for highway visibility purposes).
- Stairs from the patio to the decking area are now proposed to the west of the patio, as opposed to centrally as previously approved.

Heading along the west-side of the site, the land levels as previously approved from north - south were: 14m AOD, 14.6m AOD, 14.82m AOD, 15m AOD, 15.53m AOD, and 15.9m AOD. Now proposed, land levels are now shown as: 14m AOD, 14.60m AOD - 15m AOD to the west of the dwellinghouse, and uniformly raised to 16.4m AOD (on average) across the upper garden level, respectively. Levels have been supported by an engineering plan which consists of sections and outlines that the levels as built aid surface water drainage to prevent run off towards the neighbour (west).

To the west boundary, a closed boarded fence, approximately 1.8m tall has been erected for the full length of the boundary. This however drops in accordance with the adjacent land level (as outlined above), so it steps down from rear to front along that western boundary.

Decorative planting is proposed in front of the north elevation of the dwelling (facing Wodehouse Road), with an additional 2.5m hedge further back along the west elevation (*Eleagnus ebbingei*, a relatively fast growing evergreen hedge). These changes to the landscaping are to provide mitigation from the constructed step down to a lower level adjacent to number 19A. The step down is created through construction of a retaining wall.

Round to the south/rear of the site, the previously approved seating and patio area (previously approved at 16.45m AOD) have been removed from the plans. To the south of the dwelling would be the rear upper garden all shown as grass at the level of 16.4m AOD (average), as stated above. The rear garden was previously approved shown at 16.22m AOD, sloping down to 15.9m AOD to the west. Although the seating and patio area to the rear of the dwellinghouse have been omitted, hard surfacing remains, shown tight around the rear elevation of the dwellinghouse, connecting to the driveway to the east. This hard

surfacing would be at 16.45m AOD, same as previously approved. A gabion wall is proposed to the east of the upper rear garden, separating it from the driveway to the east. Along the south boundary an existing 1.8m close boarded fence, with additional trellis in places, remains.

Lastly, along the east of the site, there have been some changes to the access and in turn, the landscaping. Namely, the northern access point has been widened to serve the two levels of driveway. The lower-level driveway would have a gated access. Instead of steps connecting the lower-level driveway to the higher-level driveway, this would be achieved by sloping land from 13.60m AOD to 15.53m AOD (north - south). Hedging remains to the rest of the eastern boundary.

Further landscaping is proposed within the site - such as decorative planting around the north curvature of the patio and along the east elevation, 1.6m hedges to the east and west of the steps to the rear garden and planting in (4x *Trachelosperum jasminoides* 5L and 2x *Solanum laxum* 'Album 5L') and around (2x *Trachelosperum jasminoides* 5L and 3x 'Emerald Green Globe') the screen wall to the northwest of the dwellinghouse. The Arboricultural Officer did not object to the landscaping plan. As such, landscaping will be conditioned accordingly to ensure they are planted in accordance with approved plans.

The changes to the land levels and landscaping would be different compared to approved, however, are not considered to detrimentally impact visual amenity from the public domain.

Neighbourhood Plans and Local Plan Policies:

Key neighbourhood plan and Local Plan policies in relation to the form and character of this proposal include the following:

Policy 6 Infill Development requires that "Infill development within the settlement boundary of Old Hunstanton must respect local character and the amenity of neighbouring occupiers; and must not harm highway safety. Development in Old Hunstanton must not appear cramped or inappropriate in its village setting".

This development is considered to respond to this criterion. It is also important to consider the need to consider this scheme against the extant proposal, and that it is only the amendments to the approved scheme that are being considered.

Policy 7 Design, Style and Materials states that "Residential development should be of a design, style and constructed of materials to ensure that it respects local character. The use of traditional materials, including sustainable locally sourced materials and the use of sustainable construction techniques will be supported".

The materials used within the development are in accordance with that approved as a result of previous discharge of condition applications. As such, the materiality of the development is as agreed, and the changes outlined in final scheme are reflective of the previous approval from a visual consideration. In addition the materials in the area are mixed, so in any case it is considered to conform to this policy.

Policy 8 Height of Replacement and new Buildings states that "The height of new and replacement buildings must be in keeping with the height of adjacent buildings and the character of the surrounding area; and must respect the amenity of neighbouring occupiers".

The height of the as built dwelling compared to the previous approval has been addressed above. Plans also outline the dwelling compared to the original demolished dwelling. This

proposal is therefore considered in keeping with extant and previous approval. It is also important to note that across the site the levels drop by approx. over 2m from south to north.

Lastly, Policy DM15 of the Site Allocation and Development Management Policies Plan 2016 and Policy CS08 of the Core Strategy 2011 promotes high quality design, which responds to the character and context of places, without being detrimental to neighbour amenity.

Minimal changes are made to the dwelling, which would not materially affect the appearance of the dwelling and on the setting of the locality, as established under the original permission. Furthermore, changes to the landscaping are considered in keeping with the contemporary design of the dwelling. Impact on neighbour amenity is discussed further in the report.

Overall, the changes outlined, as a result of the various iterations of the scheme, are acceptable in terms of visual impact and form and character. Also proposed is additional landscaping which would further soften the visual impact of the dwelling. Landscaping and boundary treatments would be conditioned accordingly.

As a result, it is considered that the dwelling now presented, would not be a significant departure from the previously approved scheme, and would be in keeping with the dwelling and in turn its setting and locality. These changes are not considered to alter the previous positive assessment of the form and character of the dwelling as permitted.

Therefore, the proposal is considered acceptable in terms of form and character and in accordance with Policy CS08 of the Core Strategy 2011, Policy DM15 of the Site Allocations and Development Management Policies Plan 2016, Policies 6, 7, and 8 of the Neighbourhood Plan.

Impact on Neighbour Amenity:

Based on the final submission as described above, it is considered that there would be no adverse impacts on neighbours to the north, east and south, comparing the changes to the previous approval, and given separation distances and orientation.

The minimal increase to the height of the dwellinghouse would also have a negligible impact on surrounding neighbours. Aside from the insertion of windows to the lower ground level, which would not have an overlooking impact due to their positioning, fenestration remains unchanged and the difference in the width and depth of approved balconies would have the same impact as existing. Lastly, with appropriate boundary treatments and landscaping, which would be controlled via condition, neighbours to the north, south and east would not experience detrimental impacts, in respect to being overbearing, shadowing, and overlooking, as a result of the changes.

Dwelling to the west:

The neighbouring chalet bungalow (No 19A) to the west is the one which is most affected by this development, and a more considered judgement is required based on the changes made. The assessment is made based on the final submitted plans.

In terms of siting of the dwelling and fenestration to the west elevation, these remain unchanged and as approved. The dwelling therefore remains approximately 4.6m - 5.3m from the west boundary, which is considered acceptable as per the previous consent and would not result in any negative shadowing, overbearing and overlooking impacts.

It is noted that No 19A have a kitchen window and door on their east elevation. Comments have been raised regarding the impact of the close boarded fence and proposed 2.5m tall hedge adjacent to No 19A's kitchen window. Due to the orientation and position of the neighbour's window, the neighbours would always experience shadowing to the window. Furthermore, it is within the applicant's right to erect a boundary treatment up to 2m under their permitted development rights, which the LPA have no control over. A balanced judgement is required to weigh the shadowing impact from the additional 0.5m hedge height, above a potential 2m closed boarded fence, and privacy to No 19A offered by the hedge. It is considered that shadowing as a result of the hedge would not be as detrimental as the loss of privacy, without the hedge, and is therefore considered acceptable.

As outlined above, the previously approved pool and terrace area has been replaced with a lower-level patio area. The patio area is set away from the western boundary by approx. 1.6m moving to approx. 1.9m towards the neighbouring dwelling. The patio curves to the north, with steps descending down/north to ground level. This patio is set at 14.98m AOD which is lower than the approved terrace around the pool which was at 15.53m AOD, by approximately 550mm. This arrangement would be a betterment when compared to the previous scheme.

Additional decorative landscaping and a balustrade is included to the northwest, around the edge of the patio. In terms of neighbouring impact, the patio is lower than previously approved by approximately 550mm and would also include some screening from proposed decorative planting. Additionally, the patio would be ahead of the front elevation of No 19A's dwelling, adjacent to their parking and turning area. Whilst the neighbouring dwelling has habitable rooms with windows to their north elevation, the terrace would be in line with the neighbour's parking area as outlined. Therefore, this is considered an acceptable relationship in regard to amenity.

Immediately south of the patio is the terrace area. The ground floor terrace has been reduced in depth by 0.8m, which would not result in any adverse impacts to the west. However, to the west of the ground floor terrace, a notable addition is a brick planter/screen which has been built. The planter/screen wall extends the built form towards the west by 1.4m and would be 1.4m - 2m from the western boundary and is approx. 2.6m - 2.9m tall as the land height changes to the north. Landscaping is proposed in and around the planter, which would help visually soften and screen the impact of the wall and the terrace from No 19A.

The brick planter/screen, whilst not directly opposite No 19's kitchen window and door, it is in close proximity (as outlined above). The balanced judgement is required to balance the impact of the built form encroaching closer to the west boundary, and the brick planter/screen wall providing some screening from the terrace area to views to the west. It is considered that the screening would not detrimentally harm the private amenity of No 19A. The planting to both the walls and the upper area within the wall, would visually soften the impacts of the wall. Moreover, the installation of planting within the wall would restrict users of the terrace from to No 19A's amenity space, which would be further screened by a proposed 2.5m hedge along the western boundary. Overall, the balanced view is that this element is acceptable in respect to overlooking and being overbearing, and there would be limited additional impact compared to the previous approval with the benefit of some screening which would also be softened by planting.

Concerns were raised with the repositioning of the patio to ground steps to the north elevation. The steps have an approximate 1.1m tall wall either side. The stairs are positioned ahead of the front elevation of No 19A, where there are dining room, bathroom, and bedroom windows. Due to the angle, positioning, and approximately distances (2.2m) between the steps to No 19A, views into the neighbour's habitable rooms when ascending

the steps would be limited. Furthermore, the steps are used as an access point connecting the patio to the dwellinghouse only. As such, the repositioning of the stairs is not considered to detrimentally overlook No 19A's amenity space or habitable rooms to an extent that would warrant a refusal of permission.

As outlined above, the greatest changes to the scheme are to the western side of the site in respect to land levels. Once again, a balanced decision is required in this regard, considering the as approved, and as built situation. The submitted Structural Report prepared by Harrison Shortt Structural Engineers Ltd, provides information.

In terms of the consented planning scheme, Section A-A (between the side of the No 19A's dwelling and the side of the new dwelling) demonstrates that No 19A's land level remains at 14.680m AOD and the consented scheme at 15.53m AOD. Section B-B (to the southern garden area of No 19A and the new dwelling) remain the same as the pre-development situation which is 16.00m AOD at No 19A and 15.9m AOD at the application site.

Compared to revised planning scheme, Section A-A (between the side of the No 19A's dwelling and the side of the new dwelling) demonstrates that No 19A's land level is similar to the revised scheme at this point. At Section B-B (to the southern garden area of No 19A and the new dwelling), the land levels in the rear garden would be 16m AOD in No 19A's land, and 16.2m AOD on the application site.

To assess the difference in land levels, Officers have also considered the relationship prior to development on site, which allowed for overlooking of the side of No 19A, as land levels were generally higher. As approved and as built, land levels adjacent to the dwelling of No 19A and the new dwelling, and from their rear gardens, are relatively similar (see above). Therefore, it is duly considered that the change in land levels is not materially worse than the as approved relationship. Taking a balanced view, supported by evidence, the changes to land level is considered acceptable, subject to a condition related to boundary treatment.

The engineering plan further demonstrates that the changes to the land levels as built would aid surface water drainage through a more level garden and would prevent run off towards the neighbour (west).

As a result of changes to the land level, the elevated transitional walkway along the west of the dwelling has been shown to be slightly higher by 0.2m and now includes balustrading to match that of the rest of the dwelling. However, this element is mostly as approved and acts as a walkway to access the utility room and rear garden space, and will in time, be fully screened by the proposed 2.5m hedge along the west boundary. Therefore, based on the extant approval, this element is considered to remain acceptable and would not result in any additional overlooking impact detrimental to No 19A's amenity.

Finally, considering the changes to the scheme outlined above, it is considered there would not be a detrimental shadowing impact to No 19A which would warrant a refusal.

Overall, it is therefore considered that neighbour impact as a result of the proposed development would be acceptable. Therefore, the proposal would be in accordance with Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policies 6 and 8 of the Neighbourhood Plan, and the NPPF.

Highway Safety and Parking:

NCC Highways raise no objection to the latest proposed parking arrangement. This includes utilisation of the existing dropped curb to the south of the site then linking north, past the

eastern side of the dwelling (screened to the roadside by hedge) with an existing dropped curb back onto Hamilton Road. There is then a curved wall separating an additional new entrance to the north of this. This includes a new enlarged dropped curb, low level brick wall (below 500mm) closest to the edge of the road/path with gates opening inwards. This leads to a gravel parking and turning area and lower garage area below the dwelling.

In addition, ample parking is available. The house has 5 bedrooms which requires 3 spaces, which are catered for. In regard to Policy 9 - Water and Drainage, of the Neighbourhood Plan, the driveway areas are gravel which is permeable and in accordance with this policy. Therefore, the development is in accordance with Policy 9 of the Neighbourhood Plan as well as Policy CS11 of the Core Strategy 2011, DM17 of the Site Allocations and Development Management Polices Plan 2016 and the NPPF.

Other matters requiring consideration prior to the determination of this application:

Biodiversity Net Gain (BNG)

The associated full application was received prior to BNG becoming a requirement for small sites in April 2024. In addition, this is a Section 73A application and is therefore exempt from BNG.

Neighbourhood Plan

Neighbourhood Plan Policies of some relevance not already discussed within the report are addressed below.

Policy 1 Village Development Boundary - the site is within this area but is also a replacement of an existing dwelling.

Policy 4 New Housing as Permanent Dwellings is not relevant, as this application relates to a variation of condition only, amending details linked to a previously approved replacement dwelling. The previous dwelling had unrestricted occupancy.

Flood Risk

The application site is within Flood Zone 1, the area with the lowest risk of flooding. In addition, the site is shown not to be at risk from surface water flooding.

Removal of Permitted Development Rights

Permitted development rights were not removed as part of the original consent. However, given the amendments to the dwelling and land levels on the site, it is considered appropriate to remove permitted development rights to protect residential privacy and the amenity of the locality.

Therefore, permitted development rights regarding the enlargement, improvement or other alteration to the dwelling house, additions to the roof of a dwellinghouse, and provisions for incidental buildings are proposed to be removed via condition so that the LPA may retain control of development in the interests of potential impacts on neighbouring amenity.

Community Safety and Neighbourhood Nuisance Comments

As outlined within this report, the swimming pool has not been built and permission is not sought for its retention within this application.

CSNN did not comment on the previous planning applications but note that they would not support a swimming pool as previously permitted as well as raised outside seating/socialising areas higher than previously approved, given the likely noise impacts from their use on residential amenity. However swimming pools and social areas within residential gardens are common, and it is unlikely such an objection could reasonably be sustained.

Levels and the changes within this application are addressed above. The outdoor terrace areas are also addressed above, and changes are compared with the previous approval which did not include large screens or barriers to attenuate noise. The dwelling is permitted as a replacement dwelling within the same use class as the original. It is therefore not considered reasonable to request further screening to control noise. In terms of an external shower, this is not shown on the latest plans. However, the installation of a tap externally for such as use would not be development. Further, if a more substantial structure was constructed this may require separate consent but would be assessed at the time. A condition to prohibit the alteration of the fireplaces (gas) to prohibit any solid fuel heating would not be reasonable and we must assess the development as presented.

Conditions

Consideration needs to be given to which conditions still meet the six tests when reimposing them on a permission.

Previous conditions relating to materials are not included as these have been discharged and the development constructed.

The previous tree protection condition wording is not included as works are substantially complete and new site plan shows one tree to be removed and the rest retained with no objection from the Arb officer. Therefore, the wording is updated to reflect the retention of trees shown on the latest plan.

Conditions are included regarding landscaping to ensure that it is maintained and replanted should it die within five years to ensure it is established. A boundary treatment condition is also included to ensure that full details are provided regarding the western boundary notwithstanding submitted plans, so this can be considered in further detail as well as the restriction of permitted development rights for the property discussed above.

Parish Comments

In relation to the latest Parish Council comment and objection, first, Section 73 (or S73A) of the Town and Country Planning Act 1990 can be used to make a material amendment by varying or removing conditions associated with a planning permission. As noted on the .Gov website there is no statutory limit on the degree of change permissible to conditions under s73, but the change must only relate to conditions and not to the operative part of the permission (that being the description). Therefore, the submission of this application is considered valid in that regard.

The changes compared to the previously approved plans have been outlined in some detail above. The number of storeys remain consistent throughout the planning applications, consisting of a lower ground level basement, and a ground and first floor above ground level. An assessment of form and character is made above and considered acceptable visually. Impact on neighbour amenity is also addressed above and public comments/objects are addressed within this report where not already addressed in other sections of the report.

Finally the retrospective nature of the application (in relation to some of the changes made) is a valid form of planning application and a long-established part of planning law. The application has been assessed on its own merits notwithstanding the fact that the dwelling has been constructed.

Third Party Comments

Most of the points raised have been considered in the main body and assessment set out within the report.

Issues of form and character and neighbour amenity have been addressed in detail within the above report which focuses on an assessment of the final submitted scheme. This includes an assessment of the levels on site, boundary treatment (which includes a condition for further details to be submitted notwithstanding approved plans) as well as other elements such as the lower terrace, stairs towards the western boundary and western projection with brick wall to the ground floor terrace. The distance to the boundary and neighbouring dwelling to the west is discussed above and an assessment is made of proposed additional landscaping.

A condition would be included on any approval to ensure that any landscaping planted would be maintained or replaced if it should die for 5 years to ensure it is established.

Many issues have been resolved over the course of the application, as addressed within the above report. The latest plans as submitted are detailed above and included an acceptable access in highways terms as well as the reduction of the first-floor balcony and addition of landscaping etc.

The use of the building is permitted as a replacement dwelling (C3 residential). Therefore, any use outside of this would likely require separate planning permission. Any noise or nuisance beyond what would normally be associated with a residential dwelling may be considered a statutory nuisance subject to separate legislation outside of planning.

The objection from Norfolk County Council Highways has been withdrawn based on the final plans submitted which have reached an acceptable scheme in that regard.

The Arboricultural Officer is content that the correct tree is now to be retained and therefore raises no objection. This is shown on the latest submitted plan.

Civil Matters

Some objections raised relate to civil matters. Damage and removal of the previous fence as well as ownership are civil matters outside of the scope and control of this application.

People already living in the property would be outside of the control of the planning application but may put the development in breach of planning conditions where the trigger point is prior to occupation.

The right to light is not a planning consideration and would be outside of the scope of this application. Consideration of overbearing, overshadowing and overlooking is considered within impact on amenity.

Covenants are outside of the scope of planning and would not be attached to limit development through a planning application. Appropriate conditions are included within this recommendation.

Process

In terms of process, substantial responses have been sent to individual objector(s) in terms of the process surrounding this application. However, where points have been raised within correspondence within this application, they are addressed below.

In terms of previous applications, the lower ground floor/basement has always been included on approved plans. Both the original application: 22/01744/F and subsequent variation: 23/00598/F were approved. The dwelling was described as two storeys as the dwelling would be two storeys above ground with a lower ground floor/basement mostly below. It is important to note that due to the sloping levels from south to north, the northern part of the dwelling is higher above ground than the south. There has however always been access to the lower garage under the main dwelling within approved plans. The change within this application is the addition of the store area to this lower ground floor/basement area extending further westwards than approved, creating a new room (as well as external levels outlined above).

On this basis, as outlined above, the form of the dwelling within this application is very similar to the previous approval. The current dwelling continues to have a first floor, ground floor and lower ground floor/basement.

As per the explanatory text above, the application would fall under Section 73 (73A) of the TCPA 1990. The description for development is, and was originally approved as, "Demolition of existing dwelling and construction of replacement dwelling". Therefore, the submission of this application is considered valid in that regard.

Further, it is normal process to allow extensions of time for applications in order to seek to address issues. Whilst this application has seen several amendments, negotiations have been ongoing to try and reach an acceptable situation. Further plans and supporting evidence have been submitted and the LPA has had to consider the nuance of the situation including the changes from the approval, what could be built out as per the consent, as well as the original relationship on site prior to works taking place, as outlined within the above report. This application: 24/00143/F has never been formally refused, or a formal decision issued.

The applicants did propose to revert part back to approved plans during the course of this application however, the final submitted scheme and plans focuses on the constructed development so a decision can be made on this with some changes and mitigation as outlined above. This balanced judgment is why an officer recommendation of approval is now before members at planning committee.

In addition, while the application seeks retrospective consent, this is a valid method of applying for planning permission and the LPA cannot reject this outright as a matter of principle. Officers have assessed submitted information and plans, these have been updated during the application with a supporting structural survey and plans. The LPA would not carry out independent surveys on an application such as this and assesses the information submitted within the application.

The neighbourhood plan is addressed within the above report.

In terms of enforcement action, details of enforcement action are sensitive and not published online. In addition, any formal action would not be taken until a planning application is determined.

In terms of uploading plans and correspondence online, there is sometimes a delay while these are uploaded. In addition, negotiation can take place to ensure that plans are suitable for consultation.

The location of drainpipes would not be controlled within this application, as there would be no need to provide these details, and connection to a particular soakaway would be controlled through the building regulations. Further, building regulation requirements are outside of the scope of this planning application.

Objectors can comment at any time and the contents will be taken into account up until a recommendation/decision is made. Comments received after the agenda is published, by 5.00pm on the Wednesday before the meeting, will be reported to the committee in late correspondence.

Concerns relating to sifting panel are not relevant as this application is subject to call-in by the local ward councillor and referred by the Assistant Director.

In terms of CIL, although the CIL regime is linked to planning, it is separate legislation and has its own requirements. Statutory CIL duties don't start until the planning application is granted, as per CIL regulation 8, at which point CIL will measure the approved plans. They will then issue a Liability Notice showing the calculations for the CIL, in accordance with CIL reg 65. This is sent out as soon as possible after the decision is issued, which is generally within 5 days of the application being granted. The CIL team don't measure any plans prior to approval - if the application is refused, withdrawn, or if revised plans come in before permission is granted, this is wasted work. However, all of the plans are available and measurable online for public information.

CIL appeal decisions have confirmed this approach, whereby inspectors have previously requested scaled plans in order to determine the liability accurately rather than taking site measurements.

CONCLUSION/PLANNING BALANCE:

Overall, the principle of this development was established within the previous consent for a replacement dwelling, in this residential area. This application seeks minor amendments to a scheme which has been built out but differs in some respects from the previous approval.

In terms of the form and character of the development, the dwelling as presented within this application is considered acceptable based on the extant permission and the changes do not alter the previously positive assessment of the design, form etc of the dwelling.

In terms of neighbour amenity, it is not considered that there are any additional adverse impacts within this application beyond the extant consent, for properties on the north, south and east sides.

A more balanced decision has been made in regard to the western neighbour and relationship, but it is considered that subject to a suitable condition on boundary treatment, and an assessment against the former relationships and approved levels, it is acceptable, as described within this report.

Highways impact as well as parking are also considered acceptable, as are other matters outlined within this report.

Overall, the development is therefore considered to be in accordance with Policy CS08 and CS11 of the Core Strategy 2011, DM15 and DM17 of the Site Allocations and Development

**Planning Committee
2 December 2024**

Management Policies Plan 2016, Policies 6,7,8, and 9 of the Neighbourhood Plan, and the provisions of the NPPF 2023.

RECOMMENDATION: APPROVE

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
 - Drawing no MID02.01.03 Revision Q. Floor Plans + Block Plan
 - Drawing no MID02.01.04. Revision L. Proposed Elevations.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: Trees and/or hedgerows shall be retained in accordance with the details as agreed by the Local Planning Authority within: PROPOSED LANDSCAPE PLAN, Drawing Number: MID02.01.25.
- 2 Reason: To ensure that the existing trees and hedgerows are retained within the development of the site in accordance with the NPPF.
- 3 Condition: The development hereby permitted the proposed on-site car parking/servicing/turning area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason: To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 4 Condition: The use hereby permitted the vehicular access indicated for improvement shall be upgraded/widened in accordance with the Norfolk County Council residential access construction specification for the first 2 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 4 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 5 Condition: Landscaping shall be carried out in accordance with the details as agreed by the Local Planning Authority within: PROPOSED LANDSCAPE PLAN, Drawing Number: MID02.01.25.

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.
- 5 Reason: To ensure that the development is properly landscaped in the interests of the amenities of the locality in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016, Policy and the NPPF.

**Planning Committee
2 December 2024**

- 6 Condition: The use of the western terrace projection hereby approved shall be permanently retained as shown on plan: MID02.01.03, Rev Q with planting and shall at no time be used as an additional area of terrace.
- 6 Reason: To protect the residential amenities of the occupiers of the adjacent property in accordance with Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policies 6 and 8 of the Neighbourhood Plan and the NPPF.
- 7 Condition: Notwithstanding the details shown on the approved plans (including the west boundary), within one month of the date of this decision, a plan shall be submitted to the Local Planning Authority for approval in writing indicating the positions, heights, design, materials and type of boundary treatments (including those separating the rear garden adjacent to the west boundary identified on Dwg MID02.01.03 Rev Q.

The boundary treatments shall be carried out in accordance with the approved plans/details approved in writing within two months of approval by the Local Planning Authority. The approved boundary treatments shall be maintained and retained in perpetuity.

- 7 Reason: To ensure that the development is compatible with the residential privacy and amenities of the locality in accordance with Policy CS08 and DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023.
- 8 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house, additions to the roof of a dwellinghouse, and buildings etc incidental to the enjoyment of the dwellinghouse, shall not be allowed without the granting of specific planning permission.
- 8 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 above mentioned Order, in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.