

**AGENDA ITEM NO: 9/2(d)**

<b>Parish:</b>	<b>Holme next the Sea</b>	
<b>Proposal:</b>	<b>Renovation and remodelling of existing dwelling with extensions</b>	
<b>Location:</b>	<b>Larkin House 36 Main Road Holme next The Sea Norfolk PE36 6LA</b>	
<b>Applicant:</b>	<b>Paul Kilkenny &amp; Tracey Sparkes</b>	
<b>Case No:</b>	<b>23/00185/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Olivia Luckhurst</b>	<b>Date for Determination: 6 April 2023 Extension of Time Expiry Date: 1 August 2023</b>

**Reason for Referral to Planning Committee** – Called in by Councillor de Winton.

**Neighbourhood Plan: Yes**

**Case Summary**

The application site is located in Holme next the Sea which is designated as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy.

The site is host to a two storey, detached dwelling that fronts Main Road and is located within an Area of Outstanding Natural Beauty (AONB) and adjacent a Conservation Area.

The property has been constructed from red brick with white upvc windows and doors with a parking area located to the front of the site (north) along with a single garage.

The proposal seeks permission for renovations and remodelling of the existing dwelling along with extensions to the side and rear and the erection of a cart lodge.

Amended plans were provided reducing the scale of the additions in order to overcome objections from the Parish Council and Conservation Officer.

**Key Issues**

Principle of Development  
Form and Character/Impact on the Conversation Area  
Impact on Neighbour Amenity  
Highway Safety and Parking  
Other Material Considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site is located within Holme next the Sea which is designated a 'Smaller Village and Hamlet' by the Core Strategy 2011. As such it does not have any specific site allocations or a development boundary.

Planning permission is sought for the renovation and remodelling of the existing dwelling along with rear and side extensions and the creation of a cart lodge.

The proposed single storey side extension would measure 4m in height, 8.8m in depth and 5m in width. A single storey element would be positioned on top and would measure 3.8m in height, 4.7m in depth and 3.4m in width.

The rear single storey addition would measure 3m in height, 5.8m in width and 5.4m in depth and would incorporate a green roof and balcony area above serving the first floor bedroom.

The extensions would be constructed from brick with flint and timber cladding along with the rendering of the main dwelling.

## **SUPPORTING CASE**

The agent will be providing a supporting case as a late representations.

## **PLANNING HISTORY**

No relevant planning history

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECT**

The Parish Council first provided comments on the original plans on 13th February 2023. Their comments raised the following concerns:

- Overshadowing/loss of light to the neighbouring property as a result on the separation distance and scale of the two storey side extension.
- The balcony area would allow views across the private gardens of 40 Main Road to the east and Seaton House to the west.
- Details of the proposed staircase to the front of the property have not been provided on the floor plans and this element would be considered as a significant feature of a village house and would impact negatively on the street scene.
- The staircase would also lead to overlooking of the garden area of the neighbouring property.
- The proposed viewing gallery would be an obvious and incongruous addition to the roof and would impact negatively on the street scene.
- The proposed annexe appears independent from the main dwelling and therefore, conditions should be added to ensure its not used as a separate dwelling.
- Parking appears tight and manoeuvring space on the drive is limited.
- Drawings are unclear as to how many bedrooms are proposed.
- The property has large areas of fenestration in addition to areas designated for outdoor use at both ground and first floor levels. Associated with this there is potential for significant light spillage that will impact negatively on the Dark Night Skies of the AONB and cause disturbance to wildlife in the countryside adjoining the property and potentially also to neighbours.

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- Following receipt of amended plans (received 12th April 2023) further comments were provided by the Parish Council:
- The removal of the viewing platform, external staircase and annex are considered to be improvements. With regard to the issue of size it is noted that the revised proposals actually result in an overall increase in GIFA over the previous which is contrary to Policy HNTS 17 (original dwelling 128 sqm; initial proposals 230 sqm; revised proposals 237 sq m)
- The balcony area has now been extended to form a balcony/accessible roof garden which has incomplete privacy screening to the west and no evident privacy screening to the east. Balconies such as this are not characteristic of small, rural villages in Norfolk and this change has increased concerns about the impacts of overlooking on the privacy of the neighbouring properties.
- Further amended plans were provided on 9th July 2023 and the Parish Council provided the following response:
- The PC agrees with the Agent's calculations on the size of the original dwelling and the size of the components but disagrees on whether the RICS Standard requires inclusion of the 'Car Port' ) and the roof terrace/balcony in the calculation of GIFA for the purposes of HNTS 17
- Although the 'car port' was originally labelled 'garage / car port' on the plans the Agent argues that it is not a garage and that it is 'external car parking' and should therefore be excluded from the GIFA calculation. Whilst it is acknowledged that the area is open at both ends it is entirely within the roof span of the house and its longest (northern edge) is a solid brick wall subtended by the roof of the house. On this basis it is very difficult to see that it can fall within the definition of 'external parking'. Furthermore, the term 'garage' used on the original proposals is used in both the RICS Code of Measuring Practice and in the IPMS Standard. Both standards require garages to be included within internal floor area calculations. It is the PC's view that this structure is a garage as originally stated on the drawings.
- The garage/car port/outbuilding is not the only contributory factor wrt HNTS 17. The balcony and the roof terrace must also be included. These two features alone push the proposed development well above the 40% limit. Here there is no question about definitions. Call it what you will (roof garden, green roof, balcony) the flat roof of the extension is accessible by the agent's own admission for maintenance, and it is difficult to see how access could be restricted to just maintenance.
- Regardless of the area measurements it is the PC's view that the proposed conversion is too large and would reinforce the trend of reducing the availability of smaller dwellings suitable for the resident housing market thereby undermining Policy HN TS17.
- The proposed balcony would lead to privacy, disturbance and noise issues. A quick check of supplementary planning guidance for ten randomly selected LPAs revealed that seven did not normally permit balconies. Two indicated they could be acceptable in particular circumstances (no overlooking or potential noise issues) and one indicated they could only be acceptable where occupiers have no access to private or communal garden space. There is ample garden space at Larkin House and it is disappointing that this aspect of the proposal remains given the neighbours' concerns

No further comments were received on the amended plans received 30th June 2023.

**Highways Authority: NO OBJECTIONS**

**Conservation Officer: NO OBJECTION** Following receipt of amended plans.

## **REPRESENTATIONS**

A total of **5** representations from **3** individuals received listing the following reasons for objections:

- Overdevelopment
- Overlooking and loss of privacy
- Impact on the conservation area
- Overshadowing
- Noncompliance with policy HNT17 of the Neighbourhood Plan.
- Request for boundary fence to be replaced

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS12** - Environmental Assets

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

**DM1** – Presumption in Favour of Sustainable Development

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy HNTS11:** Street Scene, Character and Residential Environment

**Policy HNTS12:** Conservation Area

**Policy HNTS17:** Extensions, Annexes and Outbuildings

**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
- \*Form and character and impact on the conservation area
- \*Impact on neighbour amenity
- \*Highway safety
- \*Flood risk
- \*Any other matters requiring consideration prior to determination of the application

### Principle of Development:

Policy DM15 of the (Site Allocations and Development Management Policies Plan (SADMPP) –states *‘development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development’.*

Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

Policy HNTS17 of the Holme next the Sea Neighbourhood Plan states *Development proposals for extensions to existing dwellings and the provision of annexes and outbuildings will be permitted, provided that they conserve and enhance landscape and scenic beauty and are appropriate to their location in the Norfolk Coast AONB, where the proposal does not increase the Gross Internal Floor Area of the original dwelling by more than 40% excluding any outbuildings.*

An update to the Holme Neighbourhood Plan was adopted in March 2023 for the purposes of interpreting NDP policies and confirms that ‘IPMS 3 Residential’ should be used when calculating gross internal floor area.

The application site comprises a residential property, thereby the principle of an extension to the dwelling is acceptable in accordance with the Development Plan. The details of the scheme will be considered below.

### Design:

The original proposal sought permission for larger additions to the existing dwelling which resulted in more than a 40% increase in the internal floor area and therefore, did not comply with policy HNTS17 of the Holme Neighbourhood Plan.

The proposal also included a dormer window serving a new second floor room as well as an external staircase on the north elevation serving an annexe which could only be accessed from the exterior.

Following objections from the Parish Council and the Conservation Officer, amended plans were provided showing the floor space reduced, external staircase and dormer window removed and the reduction in scale of the first floor addition. A privacy screen was also added to the east and west of the proposed balcony.

A re-consultation was issued and the Conservation Officer confirmed no objections to the proposal, however, the Parish Council were still of the opinion that the proposed development exceeds the 40% internal floor area increase. The issue relating to impact on amenity is also considered to have been sufficiently addressed through the addition of

privacy screens to the balcony and the addition of a condition restricting access to the proposed green roof.

Whilst these comments have been taken into consideration, the revised drawings have been measured multiple times and are considered to comply with policy HNTS17.

The existing internal gross floor area measures 130.2sqm and the proposed internal gross floor area measurement is 172sqm (including the balcony). Therefore, the proposed development results in a total increase of 32.2%.

The revised drawings show the proposed car port to be open on all sides. Table 3b Residential of the RICS Property Measurement Guidance IMPS states that 'external car parking and other ground floor areas that are not fully enclosed are excluded.' Therefore, the addition has not been included in the GIA calculations.

The guidance also states that accessible roof space should be included however, the agent has confirmed that the green roof area would not be accessible to the occupants, and this would also be secured via condition. Therefore, the green roof area has also not been included within the calculations.

Therefore, the proposed amendments are considered to have overcome the original concerns raised and the proposed development therefore complies with Policy DM15, Policy CS08 and Policy HNTS17 of the Holme Neighbourhood Plan.

#### **Form and character and impact on the conservation area:**

Main Road is host to a variety of properties which incorporate a mixture of materials such as brick, cladding and render in stone colour, however, materials would be secured via condition. The proposed development is considered to contribute to the varied street scene and would respect the character of the adjacent conservation area and the AONB.

The materials proposed would appear in keeping with the host property and neighbouring dwellings and the development would employ a design which is appropriate and sympathetic to its setting in terms of height, massing, roof form, materials, elevational and vernacular detailing. The majority of the works would be located to the rear of the property and would not be viewable from the AONB however, development to the front of the property is considered to be minimal and would not have a detrimental impact on the adjacent Conservation Area or AONB.

The application site is considered capable to accommodate the proposed development without appearing overdeveloped or cramped.

Overall, the proposed development is considered to be of an acceptable scale, design and form and complies with policy DM15 of the SADMPP, policies CS08 and CS12 of the Core Strategy and policies 10, 11, 12 and 17 of the HTNS Neighbourhood Plan.

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

The application site allows for a sufficient separation distance of 7.5m from the proposed rear extension to the east and 3m to the west.

The dwelling is currently host to a covered patio area which open on all side and allows for a 5.6m separation distance to the east and 3 to the west. The covered area stretches the entire width of the property; therefore, the creation of a slightly larger extension is not considered to have an overbearing impact on the neighbouring properties given that there is already a structure in its place.

The site is enclosed by close boarded timber fencing which would partially screen the ground floor additions and prevent overlooking.

No new windows are proposed at first floor level on the east or west elevation and the proposed balcony would incorporate privacy screens[HWH2]. Therefore, Views from the proposed balcony would only be available of the applicant's long garden.

The proposed first floor addition would not exceed the ridge height of the host dwelling and given the orientation of the site, the development is not considered to result in overshadowing or loss of light.

Objections from the Parish Council and neighbours raised concerns regarding potential noise disturbance as a result of the balcony. However, the balcony would act as an amenity area for the property similar to that of a garden, therefore, we cannot restrict the noise levels or the use of the balcony. It is also considered to be self-limiting due to its size.

The green roof would not be accessible to the occupants, and this would be secured via condition.

Therefore, the proposed development is not considered to have a detrimental impact on residential amenity and complies with policy DM15 of the SADMPP and policy CS08 of the Core Strategy.

### **Highway Safety:**

The application site is accessed via Main Road and parking is provided in the form of a carport and a large driveway.

Although the development would result in the creation of an additional habitable room, the site is considered to provide a sufficient amount of parking in accordance with the Parking Standards 2020.

Therefore, the proposal complies with policy DM15 and DM17 of the SADMPP and policy CS08 of the Core Strategy and policy HNTS25 of the Holme next the Sea Neighbourhood Plan.

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

#### **Flood Risk:**

The site is located within flood zone 1 which is considered as 'Low Probability' and comprises land as having less than a 1 in 1000-year annual probability of fluvial or tidal flooding (i.e. an event more severe than the extreme 1 in 1000 year event). The NPPF states that all uses of land are appropriate in this zone.

### **CONCLUSION:**

The proposed development is considered to be of an acceptable scale, design and form that incorporates materials that respect the character of the adjacent conservation area and AONB.

The proposed additions would not lead to overlooking or loss of light and would not increase the dwellings gross internal floor area by more than 40%. Therefore, the proposed works are considered to comply with policies DM1, DM2, and DM15 and DM17 of the Site Allocations and Development management Policies Plan 2016 and policies CS01, CS02, CS06CS08

and CS12 of the Core Strategy 2011 and policies 10, 11, 12 and 17 of the HTNS 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 using only the following approved plans:  

KIL02.01.04 C	PROPOSED & EXISTING PLANS & ELEVATIONS	Received
30.06.2023		
KIL02.01.05 D	PROPOSED SITE PLAN & LOCATION PLAN	Received
30.06.2023		
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the first use of the first-floor balcony hereby permitted, the 1.8m high balcony screens shown on drg no. KIL02.01.04 C (recieved 30.06.2023) shall be erected to the east and west side of the balcony. The 1.8 metre high screen to the east and west side of the balcony shown on the approved plan shall thereafter be retained in perpetuity in the locations shown.
- 3 Reason To protect the residential amenities of the occupiers of nearby property.
- 4 Condition The green roof area to the single storey rear extension hereby permitted shall not be made accessible at any point without the granting of a further specific planning permission.
- 4 Reason To protect the residential amenities of the occupiers of nearby property.
- 5 Condition Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C 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.
- 5 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.
- 6 Condition Notwithstanding the provisions of Schedule 2, Part 1, Class E 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 provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.



- 6 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.
- 7 Condition No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the extension(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.
- 7 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.