

<b>Parish:</b>	<b>Hunstanton</b>	
<b>Proposal:</b>	<b>Construction of a pair of semi-detached dwellings within the existing residential curtilage of Ashley House and separation of existing annexe into a residential dwelling to the rear of the main house formally converted into a one-bedroom property.</b>	
<b>Location:</b>	<b>Ashley House 3 Westgate Hunstanton Norfolk</b>	
<b>Applicant:</b>	<b>Mr P SEARLE</b>	
<b>Case No:</b>	<b>22/01021/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 12 September 2022 Extension of Time Expiry Date: 8 September 2023</b>

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

**Neighbourhood Plan:** Yes

### **Case Summary**

Full planning permission is sought for the construction of a pair of three-storey, semi-detached houses and the conversion of an annexe to a further independent dwellinghouse i.e., a net increase of three dwellings on the site.

The site lies within Hunstanton Conservation Area, Flood Zone 1 (low risk) and in the Zone of Influence of a number of protected sites.

### **Key Issues**

Principle of Development  
Form and Character and Impact on the Conservation Area  
Residential Amenity  
Highway Safety  
Protected Sites  
Flood Risk and Drainage  
Crime and Disorder  
Other Material Considerations

### **Recommendation**

**REFUSE**

## THE APPLICATION

Full planning permission is sought for the construction of a pair of three-storey, semi-detached houses and the conversion of an annexe to a further independent dwellinghouse i.e., a net increase of three dwellings on the site.

The semi-detached properties would be 3-bed units, with open plan living space at ground floor, two beds and two baths at first floor and a further third bedroom on the second floor. The annexe would be converted to a 1-bed unit with open plan kitchen 'day room' area and bedroom at ground floor level and sitting area at first floor.

The new dwellings would have a ridge height of 8.8m and eaves measuring 5m. The projecting gable ridge height measures 8.1m. The pair of dwellings is 11.4 wide by 10m deep. Materials for the new build units would be red brick with carrstone infill under a grey roof. The annexe proposes internal alterations only and therefore materials will not change.

The one-bed annexe would be provided with a single parking space contained within a triple garage that would also provide a single parking space for each of the new dwellings. A further uncovered parking area would be provided adjacent to each new dwelling. Secure, covered cycle storage is also proposed.

The development would result in the loss of two Category trees, an Ovens Wattle and a Rowan.

The site lies within Hunstanton Conservation Area, Flood Zone 1 (low risk) and in the Zone of Influence of several protected sites.

## SUPPORTING CASE

**NONE** received at time of writing report.

## PLANNING HISTORY

05/00986/F: Application Permitted: 12/08/05 - Alteration and extension to existing dwelling.

## RESPONSE TO CONSULTATION

**Town Council: OBJECT** Hunstanton Town Council as a Statutory Consultee **OBJECT** to the Planning application 22/01021/F Construction of a pair of semi-detached dwellings within the existing residential curtilage of Ashley House and separation of existing annexe into a residential dwelling to the rear of the main house formally converted into a one-bedroom property. Ashley House 3 Westgate Hunstanton Norfolk PE36 5AL, for the same reasons as our last objection on 8 August 2022.

The reasons for our objections are that we as a Town Council feel that the plans submitted for this property does not fall in line with this Councils visions for the development and future plans for the town's longer-term enhancement as part of our Neighbourhood plan. We have also considered the comments made by the Conservation Officer with regards to the impact on the Conservation area.

1. There are elements of the application which concern us, under the HNBP we feel that there are inadequate parking provisions in the application under K4, it also does not meet

Norfolk Parking Standards 2007 (Class C3 – Dwelling Houses) for the size of the proposed dwellings.

2. The loss of trees will go against the Governments Urban Tree Challenge, the planting initiative designed to soak up local pollution and to fight against climate change, as the trees store carbon and can help make our towns and cities more resilient. Trees in urban areas improve health and wellbeing, connect people with the outdoors, absorb noise, reduce flood risk, lower temperatures through shading, and create green spaces for communities to come together.

### **Highways Authority: NO OBJECTION**

15/08/2023: The amended plans neither improve visibility nor parking provision, but as we had previously advised that an objection was unlikely on 10/08/22, I would only seek to condition plans and parking.

10/08/2022: An assessment of the proposed development reveals a shortfall in parking. However, the site is well located within the town centre, close to public transport links and subject to the provision of a 4.5m access and an improvement to visibility towards the bus station through the lowering of the flank wall, I would be able to support this application.

Upon the receipt and consideration of revised drawings detail the above alteration, I would be able to formally respond.

**Historic England: NO OBJECTION** In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers.

### **Conservation: OBJECT**

10/02/2023: Thank you for reconsulting the conservation team following amended plans submitted on 27th January 2023.

There have been conservation team comments on previous plans dated: 15th August 2022, 25th October 2022, and 27th January 2023. None of these comments supported the scheme proposed.

I have undertaken a site meeting with the amended plans submitted on 27th January and have the following comments to make:

As our initial comments made clear, the existing site and its existing dwelling make a positive contribution to the significance of the Hunstanton Conservation Area. The paragraph relating to the site is copied here again for clarity: *On the 'north' side, number 3 is a substantial house in large grounds with trees and boundary walls. It could be in a village rather than in the town centre. Its contribution to the character of this part of Hunstanton cannot be over-emphasised: it is important that such "lungs" are retained. Its trees serve to link those in the upper and lower triangles.* (Page 11 of the Hunstanton Conservation Area Appraisal.)

Earlier in the appraisal, on page 10, it states that *Trees are important in the street. They are seen in The Spinney at the junction with Le Strange Terrace, in the large garden of No3, and, further up the hill, in the grounds of the Council offices. Surviving front garden walls are important.*

Since the conservation team gave our initial comments in August 2022, it is noted that the number of new dwellings has been reduced from 3 to a pair of semi-detached dwellings. However, this would still impact upon the appreciation of the open space, particularly when approaching from the northeast. The verdant character of this garden space is noticeable through the lack of development in gaps through the trees. In such a built-up environment this open space and treed area combines with the trees on the corner of Westgate and LeStrange Terrace to create a pleasant and verdant environment.

The existing house is present on the historic mapping indicating it was there at least as early as 1888 and, given it is already there at this date, has an earlier origin. It is marked as an important unlisted building within the conservation area appraisal for its architectural style and its age. It is therefore a non-designated heritage asset. Historically it has sat on a generous plot which would be expected from the style and age of house. This plot survives into the present day. It is a reminder that various styles and forms of development were possible within a Victorian seaside environment which adds to the varied grain of development. The existing garden space therefore contributes positively to the character of the building as well as the Conservation Area.

The development of a semi-detached pair of houses within one of the green 'lungs' of the Conservation Area, would therefore be detrimental to its character and significance through the erosion of the historic pattern of development and the loss of an important 'green lung' from the conservation area. It would therefore cause harm to the significance of both designated [conservation area] and non-designated [no.3 Westgate] heritage assets.

Policies 189, 199, 200 and 203 are of consideration when determining this application.

The conservation team are unable to support the application and suggest that, given its importance to the character and significance of the conservation area, the principle of development within this space is unacceptable.

25.10.2022: It appears that there are three main objections from the applicant to the comments made by the Conservation Officer and the CAAP.

1. The scheme is being compared to Hunstanton First School (21/00629/FM). The Hunstanton First School development is largely within an existing building, which is a non-designated heritage asset, within the conservation area. It was suffering from neglect, and needed a use to be found before it deteriorated further and had a negative impact on the character of the conservation area and the street scene. Therefore, to bring an existing important historic building back into use would have a positive impact on the conservation area. These units are mostly small one bed apartments which would not need as much amenity space as a three bedroomed detached family house, as proposed in this application.

2. The NPPF para 207. This was mentioned in the comments by the Conservation Officer. The Agent's letter only mentions the wording 'loss of a building', adding: 'There is no loss of a building proposed . . . and therefore, the reference to Paragraph 207 is irrelevant'. However, NPPF paragraph 207 is worded 'Loss of a building (or other element) which makes a positive contribution to the significance of the conservation area'. The garden at Ashley House has been clearly identified as an important 'element' of the conservation area. Given the recognition already afforded to this important green space in the Conservation Area Character Statement, this element would therefore be lost if three detached houses were built on it, causing substantial harm to the conservation area, contrary to NPPF para 207.

3. The scheme is being compared to the site which neighbours Ashley House (20/00817/FM). This scheme involves the redevelopment of an existing developed site which made no contribution to the Conservation Area. The approved scheme would both improve the character and the streetscene, by replacing a bland, mid-late 20th Century library (not fit for purpose) and a vast area of tarmac (the bus station.) The approved development would be an improvement to the setting of the conservation area and the public benefit of a new library and community facilities will far outweigh any possible harm.

15/08/2022: Thank you for consulting conservation of the above application. This application was also presented to CAAP who concluded that the application was out of character and would harm the significance of the Hunstanton Conservation Area.

The house and garden lie within the Hunstanton Conservation Area, and the house is marked as an important unlisted building. The Hunstanton Conservation Area statement specifically mentions 3 Westgate with the following description: *On the 'north' side, number 3 is a substantial house in large grounds with trees and boundary walls. It could be in a village rather than in the town centre. Its contribution to the character of this part of Hunstanton cannot be over-emphasised: it is important that such "lungs" are retained. Its trees serve to link those in the upper and lower triangle.*

The construction of three detached 2/3 storey houses within the garden to 3 Westgate will also detract from the quality of the house itself. As a large detached Victorian villa, the space around the building also provides a suitable setting to the house itself, in addition to the green lungs of the town identified in the statement. The construction of three houses will harm this setting though their footprint and scale.

On this basis, I fully agree with the conclusion reached by CAAP that this application would cause harm to the significance of Hunstanton Conservation Area, a designated heritage asset. Paragraph 207 of the NPPF points out that harm should be considered in context of Paragraphs 201 and 202 of the NPPF in conservation areas. The loss of the garden land to 3 Westgate would lead to substantial harm and on that basis the application should be refused.

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

**Arboricultural Officer: OBJECT** The trees are visually prominent in the area and there is no doubt that they make a significant contribution to the character and appearance of the area in which they stand and from where they may be seen. They are clearly seen in views from some distance, especially from the shopping area of Westgate at the junction with the busy High Street, where they are seen as attractive skyline features.

The applicant's Arboricultural Report appears accurate and has highlighted both the above ground and below ground constraints to be considered by the developer to aid design. The report details that two trees will need to be removed [Category C, T966 Ovens Wattle and Category C, T967 Rowan] to make way for development and another two should be removed for arboricultural reasons alone [Category U, T955 Common Lime and Category U, T961 Sycamore].

The proposed car parking building is well within the minimum root protection area of T970, a large mature sycamore, and no consideration seems to have been made to consider this tree in the layout. Although the proposed development for 2 semi-detached dwellings has apparently been sited on the line on the outside edge of the tree root protection areas, this layout has failed to take two important arboricultural constraints into consideration:

1. Space for the physical protection of the trees, and to allow adequate space for construction work to take place. I don't think that protective fencing could be erected on this site and still leave enough space for building works to take place. The proposed layout would necessitate that construction work would need to be carried out within the minimum root protection area, foundations would be within the root protection area, and work to dig them would need to be inside the root protection area, any service runs, especially those for foul and surface water would all be within the root protection area of the trees. There would not be sufficient space on site to build this property and the trees would require pruning just to make space for erection of scaffolding and building work to take place.
2. The affect these trees may have on future occupiers of the proposed properties. New residents often fail to appreciate the implications and problems of living next to large mature trees until it is too late. It is very difficult for Councils to resist applications to harshly prune or even fell mature trees close to residential properties. The sycamore and lime trees stand due southeast of the rear elevation and will cast shade, reduce light and views of the sky from the living room and bedroom windows of the property which will be gloomy inside, the rear of the property will be in shade for most of the year increasing pressure for very harsh pruning or removal of the trees.

The applicant's own Arboricultural Report highlighted the shade pattern posed by the trees and in their report's conclusion recognising that when they were presented with the proposed layout, that further design in relation to the constraints posed by the trees may be required.

The implications of this proposal for the longevity of the trees and their impact on the character of the area means that I object to this proposal, it is poorly designed and laid out too close to existing important landscape trees, and it would pose a threat to the continued wellbeing of those trees, by way of direct damage during construction work and also create an unsustainable relationship between the new residential property and the trees which is likely to lead to pressure for tree felling or harsh tree pruning.

**Natural England: NO OBJECTION** [following submission of a shadow HRA]

*DESIGNATED SITES [EUROPEAN] – NO OBJECTION SUBJECT TO SECURING APPROPRIATE MITIGATION:* This advice relates to proposed developments that falls within the 'zone of influence' (ZOI) for the following European designated site[s], Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that new residential development within this ZOI is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development. On this basis the development will require an appropriate assessment. Your authority has measures in place to manage these potential impacts in the form of a strategic solution Natural England has advised that this solution will (in our view) be reliable and effective in preventing adverse effects on the integrity of those European Site(s) falling within the ZOI from the recreational impacts associated with this residential development. This advice should be taken as Natural England's formal representation on appropriate assessment given under regulation 63(3) of the Conservation of Habitats and Species Regulations 2017 (as amended). You are entitled to have regard to this representation.

Natural England advises that the specific measures (including financial contributions) identified in the strategic solution can prevent harmful effects from increased recreational pressure on those European Site within the ZOI.

Natural England is of the view that if these measures are implemented, they will be effective and sufficiently certain to prevent an adverse impact on the integrity of those European Site(s) within the ZOI for the duration of the proposed development.

The appropriate assessment concludes that the proposal will not result in adverse effects on the integrity of any of the sites as highlighted above (in view of its conservation objectives) with regards to recreational disturbance, on the basis that the strategic solution will be implemented by way of mitigation.

Having considered the assessment, and the measures proposed to mitigate for all identified adverse effects likely to occur as a result of the proposal, Natural England advises that we concur with the assessment conclusions. If all mitigation measures are appropriately secured, we are satisfied that there will be no adverse impact on the sites from recreational pressure.

If the Habitats Regulations Assessment (HRA) has not been produced by your authority, but by the applicant, it is your responsibility (as the competent authority) to produce the HRA and be accountable for its conclusions. We provide the advice enclosed on the assumption that your authority intends to adopt this HRA to fulfil your duty as competent authority.

*Site of Special Scientific Interest (SSSI):* Providing appropriate mitigation is secured to avoid impacts upon the European site(s) occurring there should be no additional impacts upon the SSSI interest features.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

## **CSNN: NO OBJECTION**

21.08.2023: Further to the re-consultation on the reduction of dwellings I would like to refer you to the comments made on 17 October – included below for your ease.

I remain concerned about the annexe – the lack of associated amenity area and its corner location, with the cart shed and fencing enclosing it. It will seem very closed off, and noise impacts could be exacerbated.

Really the drainage should be separate for the annexe, which looks unachievable due to the plot size. Additionally, whilst drainage can be conditioned, I am concerned that, with the root protection zone likely to encompass the full extent of the rear gardens to the two new dwellings and thus prevent soakaway installations here, these will need to be located in the parking area, so I would strongly recommend that plans are submitted to see that separate individual, or one large shared, soakaway/s can effectively be accommodated on the site in advance of a decision being issued, in case this would actually be unachievable (given the siting will need to have suitable separation from the root protection zone of northern tree/s and all buildings).

I am also concerned that there appears to be insufficient space for all the bins for three dwellings in the store (shown as holding four bins) which also seems to be located behind the fence for Plot 1's garden (can it be accessed by all?) and around 40m from the annexe! It would seem best if they were allocated space within each plot, and then brought to the presentation point at the site entrance for collection. This will need some revision (adequate

storage for 2-3 x 240 litre bins per dwelling, plus food caddy) to avoid odour and other amenity impacts.

The internal layout of the semi-detached dwellings is welcomed.

If you are minded to approve this application despite these issues/concerns, please condition:

- Foul and surface water drainage
- External lighting
- Site hours for clearance/construction etc. - limited to 0830-1800 hrs weekdays: 0900-1300 hrs Sats, no Suns or B/Hols
- On-site parking for construction related vehicles and on-site storage of materials and plant etc.
- Storage and disposal of recycling, refuse and waste materials

17.10.2022: Whilst we have no objection to the principle of the addition of dwellings on the site, I am concerned about the layout of the site, which appears cramped.

The proximity of plot 1 to the overall site access for all new plots and the annexe, with what appears to be a turning area alongside it, plus the parking for all new plots being located immediately alongside the annexe could result in disamenity from vehicle noise for all plots but especially the annexe and plot 1, particularly from manoeuvring of vehicles. The area would be an enclosed courtyard which is likely to amplify noise, further exacerbated by the gravel surfacing.

The site plan does not show what type of boundary treatment will be provided to the annexe, which has little exterior amenity space, and whilst solid, high fencing will help to reduce the impact of vehicle noise (which is needed given the limitations internally to escape external noise sources), it would result in enclosing the already small plot and creating a cramped area.

It would also greatly help to understand the current foul and surface water drainage arrangements for the annexe. If this is to be separated as a plot, it is usually expected that surface water drainage infrastructure will be located within the plot (to protect the facilities in the long term, including access for maintenance). It is not clear whether the plot can accommodate this/where the existing soakaway/s is/are located.

Additionally, whilst drainage can be conditioned, I am concerned that, with the root protection zone likely to encompass the full extent of the rear gardens to the three new dwellings and thus prevent soakaway installations here, these will need to be located in the parking area, so I would strongly recommend that plans are submitted to see that three, or one large shared, soakaway/s can effectively be accommodated on the site in advance of a decision being issued, in case this would actually be unachievable (given the siting will need to have suitable separation from the root protection zone of northern tree/s and all buildings).

It would be our recommendation that the overall number of new dwellings is reduced, to allow greater space within the site to locate all drainage infrastructure and give greater separation of the dwellings from vehicle routes and associated activities.

If you are minded to approve this application despite these issues/concerns, please condition:

- Foul drainage – all new dwellings will be required to connect to the main foul sewer
- Surface water drainage



- External lighting
- Site hours - limited to 0830-1800 hrs weekdays, 0900-1300 hrs Sats, no Suns or B/Hols
- On-site parking for construction related vehicles.

### **Waste and Recycling Manager: NO OBJECTION**

[Following submission of amended plans] I have no adverse comments.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** The application is for the conversion of an annexe and construction of additional dwellings.

The applicant has provided a screening assessment stating no known contamination, and a site plan indicating the location of the proposed development.

We have reviewed our files and the site is on land that has been occupied by Ashley House for the duration of our records, there has been a previous structure where the annexe currently stands which is seen in historic maps dated 1843-1893 but not in 1945-1970 maps. The land for the development of the additional dwellings is seen as a residential garden for the duration of our records. The surrounding landscape is largely residential and commercial.

No potential sources of contamination are identified in our records, or in the information provided by the applicant. We have no objection regarding contaminated land.

### **REPRESENTATIONS**

**ONE** letter of **OBJECTION** has been received. The author states: *Although the reduction in number of properties from three detached houses to a pair of semi-detached houses on the plot is an improvement, the proposed homes would look directly into our living room and bedroom, leaving us with no privacy, particularly in the winter months when trees are not in leaf. I note that the proposed building line is right up to the extent of the roots for these tall trees. However, the trees will continue to grow, and to be healthy their roots will continue to expand well beyond the zone currently provided. This would lead to a gradual decrease in their health and eventually loss of the trees that make up an important element of the appearance of Westgate which is in a Conservation area. Any reduction in tree coverage would lead to a loss of privacy for us and significantly reduce our vista. Further, in the summer months these trees are important at regulating temperature in the locality as well as oxygenating the environment.*

### **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS05** – Hunstanton

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** – Transport

22/01021/F

**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

**DM19** - Green Infrastructure/Habitats Monitoring & Mitigation

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy J1** – Fundamentals

**Policy J2** - Natural Environment

**Policy K1** - Size and Mix of Houses - Housing Need

**Policy K2** - Design, Style and Materials

**Policy K4** - Parking Provision

**Policy K5** - Off Road Parking

**Policy J5** - Community Green Space Design

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

**The main considerations in the determination of this application are:**

- Principle of Development
- Form and Character and Impact on the Conservation Area
- Residential Amenity
- Highway Safety
- Protected Sites
- Flood Risk and Drainage
- Crime and Disorder
- Other Material Considerations

## Principle of Development

The site lies within the development boundary of Hunstanton, one of the borough's main towns and a location where residential development is generally sought. However, this is subject to compliance with other relevant planning policy and guidance.

## Form and Character and Impact on the Conservation Area

The site lies within Hunstanton Conservation Area (a designated heritage asset) and the donor property, no.3 Westgate, is a non-designated heritage asset being identified on the Conservation Area Maps as an important unlisted building.

Protection of the historic environment is an overarching aim of the NPPF.

Paragraphs 189, 199, 200 and 202 of the NPPF respectively state:

- *[Heritage assets] are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*
- *When considering the impact of a proposed development on the significance of a designated heritage assets, great weight should be given to the asset's conservation...This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.*
- *Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or development within its setting), should require clear and convincing justification.*
- *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal...*

Protection and enhancement of the historic environment is also a requirement of Development Plan Policies CS01, CS08, CS12 and DM15 and Hunstanton Neighbourhood Plan Policy K2.

The site offers a green break in an otherwise built-up area within Hunstanton by virtue of the 'large grounds' that the donor property is sited within. This adds to the character of the locality as a whole as well as being an important contributor to the setting of this part of the Conservation Area as specifically referred to in the Conservation Area Character Statement (CACS) that states *On the 'north' side, number 3 is a substantial house in large grounds with trees and boundary walls. It could be in a village rather than in the town centre. Its contribution to the character of this part of Hunstanton cannot be over-emphasised: it is important that such "lungs" are retained. Its trees serve to link those in the upper and lower triangles.*

Likewise, the trees that bound the site are of significance as mentioned above and earlier in the CACS where it says *Trees are important in the street. They are seen in The Spinney at the junction with Le Strange Terrace, in the large garden of No3, and, further up the hill, in the grounds of the Council offices. Surviving front garden walls are important.*

In relation to trees, the location of the proposed dwellings and their amenity space, to the north of the trees, would result in unacceptable overshadowing of habitable rooms and garden areas. This is poor and contrary to paragraph 130f) of the NPPF as it does not offer good amenity, but additionally would put considerable pressure in the future for the trees to be unacceptably pruned or potentially removed as confirmed by the Local Authority's Arboricultural Officer.

Paragraph 131 of the NPPF states *Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly planted trees, and that **existing trees are retained wherever possible**. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*

This is reiterated in Hunstanton Neighbourhood Plan with Policy J5 stating *Developments of ten or more dwellings should provide for the planting and long-term maintenance of native and/or fruiting trees and **existing trees should be retained wherever possible**.*

In relation to the openness of the site, development of the site with any built form is likely to affect this, but this proposal would result in considerable built form and almost total loss of the green space.

Additionally, the dwellings themselves do not respect the characteristics of the locality by turning their back on the street rather than actively fronting it. Furthermore, the scale, mass and design are at odds with the local character with proportions that neither replicate nor respect the norm.

The dwellings would appear cramped in their setting and the development would not respond sensitively and sympathetically to the local setting as required by Development Plan Policy DM15.

The development is not considered to be visually attractive and would not only not add to the overall quality of the area, but detract from it, which is contrary to paragraph 130a, b and c of the NPPF.

In summary the development would result in a cramped form of development that would result in the loss of an important green space that contributes to the character of the locality and particularly to the conservation area. The development does not respond sensitively and sympathetically to the local setting, is not visually attractive and would not add to the overall quality of the area. The development would result in less than substantial harm to both designated and non-designated heritage assets without clear justification or any public benefit that would outweigh this harm. The development is therefore contrary to the NPPF in general, but specifically to paragraphs 130, 189, 199, 200 and 202 of the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15 as well as Neighbourhood Plan Policy K2 that requires development to *be of a high quality and make a positive contribution to local character*.

### **Residential Amenity**

Development of this site would result in the donor property, a substantial dwelling in appropriately sized gardens, having a very small curtilage not commensurate to its historical value or size of property. It would also remove the parking area currently and historically used (as confirmed by google earth) from the east of the dwelling. Whilst the applicant has shown that parking can be provided to the west, this is a far less safe or preferable location, and whilst this parking area is currently available it is not currently used.

The development would result in poor amenity for all four dwellings:

- The existing dwelling by virtue of reducing its curtilage by an unacceptable degree leaving it with inadequate amenity land for a dwelling of this size, supplanting its parking area from the east to the west, which is a retrograde step, creating an unacceptable outlook to the east by virtue of the proximity of Plot 2 the gable end of which is only 7 metres from windows on the eastern elevation of the donor dwelling, and creating overlooking from the first floor window of the converted annexe to its significantly reduced 'private' garden.
- Plot 2 would be unacceptably overlooked by the donor dwelling with overlooking available into the western living room window, and all its 'private' amenity space. The donor dwelling would also totally overshadow Plot 2's western elevation and garden for most of the afternoon and evening. Additionally, the rear elevation and garden would be totally overshadowed by the presence of the trees on its southern boundary. Furthermore, the vehicular activity, including manoeuvring, of non-associated properties (Plot 1 and the annexe conversion) directly to its frontage.
- The annexe conversion by virtue of its limited amenity space and overlooking from the donor dwelling.
- Plot 1 by virtue of the vehicular activity of non-associated properties (Plot 2 and the annexe conversion) directly to its frontage.

The proposed development would not therefore function well or offer a high standard of amenity for existing and future users which is contrary to the NPPF in general, but specifically to paragraph 130f) of the NPPF, Development Plan Policy DM15 and Hunstanton Neighbourhood Plan Policy K2.

### **Highway Safety**

The Local Highway Authority requested amended plans showing alterations to the northern part of the western entrance wall and an increase in parking provision to meet standards. Amended plans have not addressed either of these issues. Notwithstanding this, the Local Highway Authority has confirmed that they could not substantiate a reason for refusal on the grounds of highway safety.

NCC parking standards, Development Plan Policy DM17 and Hunstanton Neighbourhood Plan K4 require one space for the annexe (1-bed unit) and two for the dwellinghouses (3-bed units). Development Plan Policy DM17 states that garages without internal dimensions of 7m x 3m will not be counted towards parking provision. The proposed garages have internal dimensions of 6m x 3m. Because the garages cannot count towards parking provision, the parking provision for each unit falls below parking standards with the annexe having no spaces and Plots 1 and 2 only having 1 space each.

It should however be noted that separate cycle storage (as required by DM17) is proposed and there is space within the gardens of the two dwellings to provide a shed for additional storage. This is however not the case with the annexe which already has severely limited outdoor space.

It is unlikely that garages 7m deep could be provided given the already restrictive manoeuvrability. This further suggests overdevelopment of the site.

Hunstanton Neighbourhood Plan Policy K5 requires all new dwellings to include provision for electric vehicle charging. However, this could be suitably conditioned if permission were granted, and therefore would not constitute a reason for refusal.

Notwithstanding that the Local Highway Authority does not object to the proposed development on the grounds of highway safety, parking provision falls short of that required

by the Development Plan. The inability to provide garages that have the required internal dimensions to count towards a parking space further suggests overdevelopment of the site.

As a result the development would be contrary to the NPPF, Development Plan Policy DM17 and Neighbourhood Plan Policy K4.

### **Protected Sites**

The site lies within the Zone of Influence of the following protected sites:

- North Norfolk Coast Special Area of Conservation (SAC), Special Protection Area (SPA) and Ramsar
- Dersingham Bog SAC and Ramsar
- The Wash SPA and Ramsar

An appropriate assessment has been carried out by the Local Planning Authority (LPA), as Competent Authority, that concludes that there would be no direct impacts and that indirect impacts from increased recreational activity could be mitigated by payment of the Green Infrastructure and Recreational Avoidance Mitigation Strategy Fee (GIRAMS) which is £632.52 (£210.84 per additional dwelling.)

Both Natural England and the LPA's Senior Ecologist agree with the finding of the appropriate assessment.

The GIRAMS payment has been paid.

The development is therefore considered to accord with the NPPF (paragraph 174a) and Development Plan (CS01 and CS12) in relation to protected sites.

### **Flood Risk and Drainage**

The site is not in an area at risk of flooding and foul and surface water drainage could be suitably conditioned. However, Members' attention is drawn to comments from CSNN in relation to their concerns that it may not be possible to provide soakaways.

### **Crime and Disorder**

There are no specific crime and disorder issues arising from the proposed development.

### **Other Material Considerations**

There are no other material considerations.

### **CONCLUSION**

The site is located within the development boundary of Hunstanton, one of the borough's main towns, and an area where residential development is generally supported.

Whilst it is considered that drainage, lighting, site construction hours and construction traffic could be suitably conditioned if permission were granted, in this instance, the proposed development would result in a cramped form of development that would result in the loss of an important green space that contributes to the character of the locality and particularly to the conservation area. The development does not respond sensitively and sympathetically to the local setting, is not visually attractive and would not add to the overall quality of the

area. As a result, the development would result in less than substantial harm to both designated and non-designated heritage assets without clear justification or any public benefit that would outweigh this harm.

The development would result in poor amenity for all four dwellings on the site due to varying degrees of amenity space, overlooking, overshadowing and poor parking provision. Therefore, the proposed development would not function well or offer a high standard of amenity for existing and future users.

Additionally, the development would put unacceptable pressure on protected trees.

The development is therefore contrary to the NPPF in general, but specifically to paragraphs 130, 131, 189, 199, 200 and 202 of the NPPF, Development Plan Policies CS01, CS08, CS12 and DM15, DM17 and Neighbourhood Plan Policy K2 and it is recommended that this application be refused for the following reasons.

## **RECOMMENDATION**

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

- 1 The development would result in a cramped form of development that would result in the loss of an important green space that contributes to the character of the locality and particularly to the conservation area. The development does not respond sensitively and sympathetically to the local setting, is not visually attractive and would not add to the overall quality of the area. The development would result in less than substantial harm to both designated and non-designated heritage assets without clear justification or any public benefit that would outweigh this harm. The development is therefore contrary to the NPPF in general, but specifically to paragraphs 130, 189, 199, 200 and 202 of the NPPF, Development Plan Policies CS01, CS08, CS12 and DM15 and Neighbourhood Plan Policy K2.
- 2 The development would result in poor amenity for all four dwellings by virtue of insufficient amenity space for the proposed annexe and donor dwelling, overlooking, loss of outlook, overshadowing, a retrograde step in parking provision for the donor dwelling and vehicular activity.

The proposed development would not therefore function well or offer a high standard of amenity for existing and future users which is contrary to the NPPF in general, but specifically to paragraph 130f) of the NPPF, Development Plan Policy DM15 and Hunstanton Neighbourhood Plan Policy K2.

- 3 Due to the inability to count the garage spaces towards parking provision owing to their internal dimensions, parking provision falls below that required by the Development Plan. The development is therefore contrary to Development Plan Policy DM17.
- 4 The proposed development, by virtue of its size and siting, would result in an unsatisfactory relationship between the proposed dwellings and the trees and would create a threat to the continued wellbeing of mature trees that make a positive contribution to the visual amenity of, and are an important element of, the character and appearance of this part of the Hunstanton Conservation Area. The long-term protection of these trees would be prejudiced by the proposed development. The development is therefore contrary to the NPPF in general, but specifically to paragraph 131 of the NPPF and Hunstanton Neighbourhood Plan Policy J5.

