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| Parish: | Methwold | |
| Proposal: | Replacement of existing bungalow with chalet dwelling and detached garage/annexe | |
| Location: | Essanjay 14 The Avenue Brookville Thetford | |
| Applicant: | Made Purple Ltd | |
| Case No: | 23/00914/F (Full Application) | |
| Case Officer: | Helena Su | Date for Determination: 15 September 2023 Extension of Time Expiry Date: 6 October 2023 |

Reason for Referral to Planning Committee – Officer recommendation contrary to Parish Council response and Planning Sifting Panel referred application to Planning Committee.

Neighbourhood Plan: No

Case Summary

This application seeks full planning permission for a new dwelling and garage and first floor annexe at The Avenue in Brookville. The site previously contained a bungalow, which at the time of the site visit, had been demolished.

The application site is located between No 12 and 16 The Avenue, approximately 116m to the east of The Avenue and Main Road junction. Brookville is classified as a Smaller Village and Hamlet under the settlement hierarchy of Policy CS02 of the Core Strategy (2011). Smaller Villages and Hamlets do not have development boundaries and therefore from a planning policy perspective the site is located within the countryside.

Key Issues

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Ecology and Biodiversity
- Other matter considerations

Recommendation:

APPROVE

THE APPLICATION

This application seeks full planning permission for a new dwelling and garage and first floor annexe at The Avenue in Brookville. The proposed dwelling would be a chalet dwelling of contemporary appearance situated in the same approximate location as the bungalow previously on the site. A garage with a first floor annexe is also proposed to the south of the site. The site previously contained a bungalow, which at the time of the site visit, had been demolished. The planning agent/applicant has not given an explanation as to why the bungalow on the site was demolished prior to applying for planning permission.

The application site is approximately 0.13ha located between No 12 and 16 The Avenue, approximately 116m to the east of The Avenue and Main Road junction. Brookville is classified as a Smaller Village and Hamlet under the settlement hierarchy of Policy CS02 of the Core Strategy (2011). Smaller Villages and Hamlets do not have development boundaries in the Core Strategy and therefore the site is located within the countryside.

The principle of a chalet dwelling had been established under planning permission 21/02281/O, at No 14 The Avenue. Officers note that the previous application was supported by the Parish Council. A Reserved Matters application for this site can still be submitted up until April 2025. However, any future Reserved Matters application would need to have the same red line/application site as the Outline consent. This application site differs from the Outline consent, as it includes an additional strip of land measuring approximately 7m wide and 63m deep to the northeast, creating a larger application site than previously approved.

SUPPORTING CASE

The applicant considers that:

- The site previously contained a bungalow on site which was demolished following approval of an outline application to replace it with a chalet bungalow ref: 21/02281/O and double garage.
- The current application uses a larger site area than 21/02281/O as it includes an additional area of the residential land to the north.
- The current application provides a 4-bed chalet bungalow of size and shape in keeping with neighbouring properties and previous permissions.
- Materials, shape and form all match the character of the area and respect eaves and ridge heights of neighbouring properties.
- The additional site area allows the bungalow to position garaging at the rear of the property to improve the aesthetics of the street scene and de-clutter the frontage.
- The rear garage/annex is in keeping with neighbouring properties to the south.
- The annexe utilises the space in the roof above the garage as additional accommodation for the household.

PLANNING HISTORY

21/02281/O: Application Permitted: 28/04/22 - Replacement of bungalow with chalet dwelling (Delegated)

RESPONSE TO CONSULTATION

Parish Council: OBJECT

This would be over development of the site, the design is out of keeping with the other properties in The Avenue and the annexe is excessive and could be classed as infill.

Local Highways Authority: NO OBJECTION

Having examined the submitted information, in terms of highway considerations for the adopted road network, the Local Highway Authority have no objection to the principle of the application. The Local Highway Authority would however recommend that the Council consult with our Green Infrastructure Officer (public rights of way) as the site takes direct access from a section of The Avenue which is a PROW.

Public Right of Way (PROW): NO OBJECTION

PROW have no objection in principle to the application but would highlight that a Public Right of Way, known as Northwold Restricted Byeway 11 is coincident with The Avenue. The full legal extent of this Public Right of Way must remain open and accessible for the duration of the development and subsequent occupation.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

The application is for a new replacement dwelling.

The applicant has provided a screening assessment indicating no known contamination. The site has previously had comments under application 21/02281/O relating to a heating oil tank on site and the potential for asbestos to be present. Further correspondence has clarified that the oil tank has been removed and no signs of contamination were present on its removal. The asbestos has also been removed by a licenced contractor and waste transfer notes have been provided to evidence its removal from site.

Environmental Quality have reviewed our files and the site is on land first seen developed in historic maps dated 1945 - 1970. The surrounding landscape is largely residential and agricultural.

No potential sources of contamination are identified in our records, or in the information provided by the applicant.

The Council's Environmental Quality team have no objection regarding contaminated land.

REPRESENTATIONS: NONE

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

DM2 – Development Boundaries

DM3 - Development in the Smaller Villages and Hamlets

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

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

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Ecology and Biodiversity
- Other matter considerations

Principle of Development:

Policy DM1 of the Site Allocation and Development Management Policies Plan (SADMPP) 2016 stated that planning application which accord with the policies in the local development plan should be approved without delay. As discussed below, the application is in accordance with the local development plans and should be approved.

Brookville is classed as a 'Smaller Village and Hamlet' (SVH) within the settlement hierarchy under Policy CS02 of the Core Strategy 2011 and as such does not have a development boundary and is treated as the countryside. Under Policy DM2 of the SADMPP 2016, infilling in SVHs in accordance with Policy DM3 of the SADMPP 2016 alongside countryside policies such as Policy CS06 of the Core Strategy 2011, is considered.

Policy DM3 of the SADMPP 2016 allows for sensitive infilling of small gaps within an otherwise continuously built-up frontage, where the development is appropriate to the scale and character of the group of buildings, and its surroundings and will not infill a gap which otherwise provides a positive contribution as an open gap in the built form of the street scene.

Taking into consideration the policy requirements of Policy DM3 of the SADMPP, the application site is considered to form a small gap within an otherwise continuous built-up frontage. This assessment follows the recent precedent created by the approval of a chalet dwelling on this site, under planning reference 21/02281/O. Therefore, the development of this site is considered to be appropriate infill development by virtue of the proposed scale and existing character of the otherwise continuous frontage.

The application also includes a garage and first floor annexe sited to the south of the application site. Policy DM7 of the SADMPP 2016 states that residential annexes would be approved subject to the following being secured to by planning condition or agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principal dwelling and does not appear as tantamount to a new dwelling;
- It is ancillary and subordinate in scale to the principal dwelling;
- Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;
- Occupation of the annexe is subsidiary to that of the main dwelling; and
- Not capable of sub-division.

The Parish Council objected to the application, with comments that "the annexe is excessive and could be classed as infill".

The proposed annexe within the first floor of the garage would contain a living room, bedroom, and W/C, with an internal floor size of approximately 60.1 squared meters. The annexe and main dwelling share the same access, garden, and parking areas. A condition is recommended to ensure that the main dwelling and annexe are occupied in the same ownership. The annexe is therefore considered to meet Policy DM7 of the SADMPP 2016.

The Parish Council raised concerns that the annexe "could be classed as infill". The annexe is located in a back land location, as such its position would be unlikely to be in compliance with Policy DM3 of the Site Allocation and Development Policies Plan 2016. The policy requires that infill development must be within the frontage of a site which is within a substantially wider built-up frontage. Based on the proposal currently to be determined then the annexe is considered to meet the relevant policies within the development plan.

The principle of development, for a new dwelling and garage with a first-floor annexe, is considered to comply with Policy CS02 of the Core Strategy 2011 and Policies DM1, DM2, DM3, DM5 and DM7 of the Site Allocation and Development Management Policies Plan 2016.

Form and Character:

Brookville is largely developed linear to Main Road, which runs through the centre of the village. Dwellings in Brookville have no typical architectural style. Recent residential developments in Brookville are of contemporary farmhouse appearance: with large glazing panels and a mix of brick and cladding material palette.

The Avenue is located to the east side of Main Road and comprises linear development to the south and open, undeveloped countryside to the north. Dwellings to the west of The Avenue are more consistent in form, being two-storey modern dwellings with an attached garage to the front (north). Heading east into The Avenue, dwellings are a mix of bungalow and two-storey dwellings finished in various different materials, including brick and render.

Dwellings along The Avenue are traditional in appearance. However, when considering in the context of the wider street scene, then the proposal would remain in keeping with the Contemporary design of other new-builds along Main Road when entering Brookville from

the north. Furthermore, when viewing the application site from Main Road, the chalet dwelling would remain consistent with the roofscape of The Avenue, which are a mix of two-storey and bungalows behind a line of ornamental trees.

The proposed dwelling is of Contemporary design, with floor-to-ceiling windows on the front and rear elevation. Specific materials have not been noted on the proposed drawings, however, appear to be a mix of buff brick and render, with grey roof tiles. As materials have not been specified, a condition on the decision notice requesting precise details of materials is considered necessary.

The proposed dwelling would be sited in the same approximate position as the bungalow previously on the site. The proposed dwelling can be read to be in two constituent parts, defined by the two frontage gable roofs. The northern part of the dwelling would be 7.1m tall, 9m deep, and 8.6m wide, and the southern part of the dwelling would be 6.7m tall, 12.2m deep, and 7.2 wide. The dwelling would ultimately appear as a cohesive whole on the application site with the use of materials and intersecting gable roofs.

To the south of the application site a garage with a first-floor annexe is proposed. The garage/annexe is mostly utilitarian in appearance, with a contemporary gable end. The building would be 13.3m wide, with a 0.8m wide external staircase on the side elevation, 7.3m deep, and 7.3m tall, positioned approximately 21m southeast from the rear elevation of the proposed dwelling. Again, materials have not been specified, but materials appear to be black horizontal cladding, with a brick plinth, and grey roof tiles to match the dwelling. Details for materials would be conditioned as part of the consent. Views of the garage and annexe from the public domain would be largely obscured by the proposed dwelling sited to the front of the site.

The Parish Council objected to the proposal, stating that it is overdevelopment of the site and out of keeping with other dwellings along The Avenue. The application site is a generous plot of approximately 0.13ha. The proposal for a new chalet dwelling and garage/annexe would still allow future occupants to have a substantial garden and sufficient parking. Therefore, it is considered the proposed development is proportionate and appropriate to the size of the plot. It is also considered that the design is in keeping, when considering the wider street scene of Brookville, the proposal is not inconsistent or detrimental to the street scene as suggested by the Parish Council.

Regarding design, appearance, and impact on street scene the proposed development would comply with Policy CS08 of the Core Strategy 2011 and policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

Impact on Neighbour Amenity:

The application site lies in between No 12 (southwest) and No 16 (northeast) The Avenue. Both the adjoining neighbours are bungalows. To the northwest and southeast is agricultural land or paddock. No 16 and land to the south is shown to be within associated land to the application site, outlined in blue on the site plan.

Impact of the chalet dwelling:

At its closest point, the proposed dwelling would be sited 2m from the southwest boundary, and 3.3m from No 12's dwelling. After 5.1m depth, the proposed dwelling would be step towards the northeast, and would be approximately 7m from No 12's dwelling. On the northeast elevation of No 12, there are windows serving a bathroom, kitchen, dining room and conservatory.

To the northeast, the proposed dwelling would be 8.1m from the northeast boundary and 10.6m from the southwest elevation of No 16, which has a window and door serving the kitchen, and a bathroom window on their southwest elevation. The kitchen door and bathroom window are screened by a 1.8m closed boarded fence.

It is considered that due to the orientation of dwellings along The Avenue, shadowing to adjoining neighbours would be minimal and not infringe on private amenity space or habitable rooms.

Furthermore, due to the design of the dwelling, with the rear part of the dwelling being offset away from No 12 and the separation from No 16 to the northeast, the impact on neighbouring amenity is acceptable.

Boundary treatments remain to be determined and are not shown on the proposed plans. Therefore, it is considered reasonable to request details for boundary treatments to be agreed prior to first occupancy. The condition can then appropriately control and ameliorate any privacy and amenity impacts on No 12 and 16.

Windows on the first floor would be to the front and rear elevation, with four roof lights on the southwest and northeast roof slope. The roof lights would be 2.7m above finished floor levels and therefore above head height internally and would not overlook the private amenity space of the adjoining neighbours.

Windows on the front elevation would look over The Avenue, Public Right of Way, and open countryside to the north, all within the public domain, and would not overlook the private amenity space of adjoining neighbours. The first-floor bedroom window serving bedroom 3 on the rear elevation of the front section of the dwelling would have views of No 12's roof, obscuring views of their private amenity space and not have views into No 16's garden due to the design of the dwelling.

The first-floor bedroom window serving bedroom 1 on the rear elevation of the rear section of the dwelling would have diagonal views to No 12 and 16's rear garden. However, these views will be restricted to the rear part of neighbouring gardens and not directly on private amenity space and therefore not considered detrimental as to warrant a refusal.

Impact of the Garage and Annexe:

The garage/annexe would be sited to the southeast of the application site, approximately 4.6m from the southwest boundary and 2.5m to the northeast boundary. The eastern corner of the garage/annexe is shown to be hard on the boundary.

Overbearing to neighbouring plots is mitigated by the design of the low eaves (which would be 3.6m tall) and the gable roof, which slopes away from the gardens. The orientation and siting of the garage/annexe, would limit any overshadowing to No 12, being limited to the early hours of the day and therefore is considered acceptable. Lastly, the proposed roof lights on the northwest and southeast roof slope would be above head height internally, being 2.8m from the internal finished floor levels and would not have an overlooking impact on surrounding neighbours.

In respect to impact on neighbours, the proposal is considered to result in limited impacts related to shadowing, outlook, and overlooking. The proposal therefore complies with Policy CS08 of the Core Strategy 2011 and Policy DM15 of the Site Allocation and Development Management Policies Plan 2016.

Ecology and Biodiversity:

The application site is located within the zones of Influence (ZOI) of The Wash, Norfolk Valley Fens and Breckland. The development proposes a net of 1 dwellinghouse, following the demolition of an existing bungalow prior to the submission of this full planning application. An appropriate assessment was undertaken in this regard, and a mitigation fee of £210.84 was paid by the applicant.

Policy CS12 of the Core Strategy 2011 states that new built development will be restricted within 1.5KM of the Breckland Special Protection Area (SPA). The application site lies approximately 1.9KM from Breckland SPA. As the application site is within the built-up part of Brookville and the site is well screened from the arable land to the north by a row of mature trees, impacts to the designated features of the SPA are considered to be limited.

In regard to biodiversity and ecology, the proposal would comply with Policy CS12 of the Core Strategy 2011.

Other material considerations:

Highway Safety - No objections were raised by the Local Highway Authority.

Public Right of Way - No objections were raised. An informative would be attached to the decision notice informing the applicant that the public right of way, known as Northwold Restricted Byeway 11, shall remain open at all times.

Environmental Quality - Following submission of waste disposal details, Environmental Quality have raised no objections with the proposal.

Flood Risk - The application site is located in Flood Zone 1, which has a low probability of flooding. The application site is approximately 0.13ha and the development of this site would comply with standing advice from the Environment Agency.

CONCLUSION:

The application site forms a small gap within an otherwise continuous frontage, where the principle of a chalet dwelling was approved under planning reference 21/02281/O.

The Parish Council raised objections that the proposal was overdevelopment of the site, with the garage and annexe being classed as infill and the design is out of keeping for The Avenue. The application is a generous plot of approximately 0.13ha and the proposed dwelling and garage and annexe are appropriate to the site itself and wider locality. The design of the proposal is considered to be in keeping with development in Brookville and in local street scene where there is a mix of traditional and contemporary dwellings. Lastly, the proposal for an annexe is compliant with relevant planning policy, subject to conditions.

The proposal would result in limited impact on neighbour amenity, and no objections were raised by the Local Highway Authority, Public Right of Way, Environmental Quality and neighbours.

On the basis of the above, the proposed dwelling is considered acceptable and accords with the provisions of the NPPF, and the adopted Local Plan policies CS01, CS02, CS08 and CS12 of the Core Strategy 2011 and Policies DM1, DM2 and DM15 of the Site Allocation and Development Management Policies Plan 2016. It is recommended that Members approve the application, subject to the imposition of conditions.

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:
 - dwg no 01. Location Plan.
 - dwg no 02. Proposed Site Plan.
 - dwg no 03. Floor Plans.
 - dwg no 04. Elevations.
 - dwg no 06. Garage Plans.
 - dwg no. 08. Sectional Drawings.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The annexe hereby approved shall only be used as ancillary accommodation to the main dwelling and the use of the garage hereby approved shall be limited to purposes incidental to the needs and personal enjoyment of the occupants of the main dwelling known as 14 The Avenue, Brookville, IP26 4RF, and shall at no time be used as an independent unit of residential accommodation or for business or commercial purposes.
- 3 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF, and Policy DM3 of the Site Allocation and Development Management Policies Plan (SADMPP) 2016.
- 4 Condition: Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 4 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 5 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 building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 5 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.