

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

<b>Parish:</b>	<b>North Wootton</b>	
<b>Proposal:</b>	<b>Re-modelling of existing dwelling together with new porch and erection of 1 no. dwelling.</b>	
<b>Location:</b>	<b>27 Little Carr Road North Wootton King's Lynn Norfolk PE30 3RQ</b>	
<b>Applicant:</b>	<b>Tower Street KL Ltd</b>	
<b>Case No:</b>	<b>23/01485/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 2 November 2023 Extension of Time Expiry Date: 9 February 2024</b>

**Reason for Referral to Planning Committee – Called in by Cllr Coates and Officer  
Recommendation is Contrary to Parish Council Recommendation**

**Neighbourhood Plan:** No

**Case Summary**

Full Planning Permission is sought for the re-modelling of an existing dwelling and the construction of 1No. additional dwelling in the garden of the existing dwelling. Arguably most of the re-modelling works fall within permitted development and therefore do not require express permission.

The site lies within the development boundary of North Wootton immediately adjacent to the North Norfolk Coast National Landscape (formally Area of Outstanding Natural Beauty), a County Wildlife Site and an Ancient Woodland.

Two public footpaths are located within the immediate vicinity of the site (North Wootton FP10 and North Wootton FP11.)

The site lies within Flood Zone 1.

**Key Issues**

Principle of Development  
Form and Character and Impact on the setting of the National Landscape Impact on Neighbour Amenities  
Highway Impacts  
Trees and Landscaping  
Drainage  
Ecology  
Crime and Disorder  
Other Material Considerations

**Recommendation**

**APPROVE**

## **THE APPLICATION**

Full Planning Permission is sought for the re-modelling of an existing dwelling and the construction of 1No. additional dwelling in the garden of the existing dwelling. Arguably most of the re-modelling works fall within permitted development and therefore do not require express permission.

The original dwelling that is being modernised was a 3-bed single-storey dwelling, one of the bedrooms was ensuite. The dwelling had a kitchen, separate living and dining rooms, bathroom and porch, the latter of which extended from the northern elevation. There was an attached garage and plant room accommodated in a flat roof element that ran parallel with the northern boundary. The dwelling also benefitted from a detached garage. The detached garage, flat roof garage / plant room and porch have been demolished, and the length of the building has been reduced from c21.2m to 18.6m. The width (8.1m), height to ridge (4.7m) and height to eaves (2.4m) remains the same. The remodelled dwelling would comprise 4 bedrooms (1 ensuite with a dressing room), a separate bathroom, utility / boot room and open plan kitchen / dining and living area. A porch is proposed off the southern elevation. The plans do not include materials. The works undertaken to date (demolition) and arguably to complete the development in relation to the existing dwelling fall within permitted development rights.

The new dwelling, to be positioned to the east of the remodelled dwelling, would be a 1.5 storey high dwelling and would have 4-bedrooms, 3 of which would be ensuite. Two ensuite bedrooms would be at first floor level with two further bedrooms at ground floor level along with a separate bathroom, utility room, office and open plan living, kitchen / dining area. A porch is proposed off the western elevation. There are no first-floor windows facing the north and only one high level ground floor window on this elevation. The dwelling would be 12.65m long x 9.65m wide and have a ridge height of 5.2m and eaves of 2.7m. The plans do not include materials.

The site lies within the development boundary of North Wootton immediately adjacent to the North Norfolk Coast National Landscape (formally Area of Outstanding Natural Beauty), a County Wildlife Site and an Ancient Woodland.

Two public footpaths are located within the immediate vicinity of the site (North Wootton FP10 and North Wootton FP11.)

The site lies within Flood Zone 1.

## **SUPPORTING CASE**

The application site on Little Carr Road in North Wootton lies within the defined development boundary of the village and currently comprises a single residential bungalow in a large plot accessed via public right of way (PROW) North Wootton FP10 that begins where Little Carr Road terminates.

When the applicant purchased the property, the site was very overgrown, and the existing dwelling was in need of significant refurbishment. The proposal therefore seeks approval for re-modelling of the existing dwelling including provision of a porch on its south elevation, in addition to the erection of 1 no. new dwelling towards the rear of the plot. The works to the existing dwelling are considered to fall under permitted development rights, not requiring planning permission, but were included on the plans for completeness.

The original proposal was for 2 no. new dwellings; however, in light of concerns raised by Officers the proposal was amended to provide only 1 new unit.

Both the existing dwelling and new unit have been designed to accommodate a modern open plan living space, with spacious living, kitchen and dining areas, family bathrooms and master ensembles. Units boast large floor to ceiling bi-fold doors, providing access to the generous gardens to the side and rear, whilst the external design seeks to continue the established vernacular of both Little Carr Road and Heather Close in terms of massing and scale.

The site lies outside but adjacent to the Norfolk AONB (Area of Outstanding Natural Beauty). As such, the proposal has been appropriately scoped as to its landscape impact. Given the location of the site within the built-up area of the settlement and the existing property and proposed additional unit are bungalows, the impact on the adjacent AONB is considered minimal.

Vehicular access from the highway to the site will remain as existing with the proposal not affecting the PROW. Both the units will be provided with 3 no. on site car parking spaces that comply with adopted standards and the width of the proposed driveway to the new unit is more than sufficient with adequate turning space provided.

The siting and orientation of the proposed new dwelling, alongside its distance from shared boundaries, its modest height and the position of habitable room windows ensures there will be no overbearing impact or significant overlooking / loss of privacy to any neighbouring properties that adjoin the site.

The proposal has been subject to input from relevant technical consultees and care has been taken to ensure that any concerns raised have been adequately addressed. Consequently, there are no objections from these parties in respect of flood risk, drainage, highways, or environmental health.

In terms of trees, the site was cleared upon purchase as it was very overgrown, but the applicant was within their rights to do this given the site is not within a conservation area and the trees were not protected by a TPO. An arboricultural impact assessment has been submitted in support of the application which takes full account of the woodland to the east and south and will ensure suitable tree protection. Additional new tree planting will also be provided on site to integrate the scheme within its surroundings.

The concerns of the Parish Council in relation to drainage and flooding are noted but the site lies within flood zone 1 the lowest risk of flooding and a drainage strategy has been prepared that will ensure there are no negative impacts of surface water runoff from developed areas.

To conclude, the proposed development would provide an additional modest dwelling on an existing residential site within the development boundary of North Wootton. The proposal is acceptable in terms of flood risk, drainage and highway safety, would provide a high-quality living environment for future occupiers and would not result in any detrimental impact on the existing character of the area or neighbour amenity.

As a result, the development is considered to accord with all relevant planning policies of the adopted Local Plan, as well as national planning policies and guidance within the revised NPPF (2023). It is therefore respectfully requested that Members grant planning permission subject to conditions in accordance with the Officer recommendation.

## PLANNING HISTORY

No recent relevant history.

## RESPONSE TO CONSULTATION

**Parish Council: OBJECT** With reference to the amendment consultation and associated drawings, the Parish Council continues to object to the application.

In addition to the detailed objections already submitted, the issue of drainage and flooding remains a concern especially as the applicant removed many trees prior to starting work on the site and the drainage appears to be under the access road. The size of the access road and access to parking for property number 2 still appear inadequate for larger vehicles.

*Previous and Original Comments:* The Parish Council has concerns regarding this application:

- Overdevelopment – 3 houses are too many for the size of the site.
- Buildings not in keeping with the surroundings – there is nothing on the proposals for external material however the elevations are white, however the surrounding bungalows are all brickwork, this point is confirmed on the application form.
- The existing buildings are all traditional roof with brickwork gables where as the proposals have a hip style roof.
- Restricted access onto site as Little Carr Road is narrow.
- Significant works have been started on the site already including demolition of the existing bungalow and clearance of trees.

**Highways Authority (NCC): NO OBJECTION** subject to a condition requiring parking provision be provided prior to first occupation.

**Public Rights of Way (NCC): NO OBJECTION** We have no objection in principle to the application but would highlight that a Public Right of Way, known as North Wootton Footpath 10 is aligned within the site, coincident with the proposed access. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation. This includes vehicles, materials and any structures such as garden fences, gates, etc.

Any proposed surface improvements within the PROW must be agreed with Norfolk County Council prior to the commencement of any works. The applicant will need to apply for a Temporary Traffic Regulation Order which must be confirmed before any works commence which would impact upon the PROW, this includes surfacing and the laying of services. North Wootton footpath 10 does not offer any means of public vehicular access and it is not maintainable at the public expense to a vehicular standard. It would be expected that any damage caused to the footpath by the exercise of the private rights remains with the rights holders to repair.

**Anglian Water: NO OBJECTION** The foul flows from the proposed development which is for the re-modelling of existing dwelling together with new porch and erection of 1 no. dwelling, will present a minimum impact on our foul sewer network. We note that the surface water is being proposed into the local ditch and therefore we are unable to make comments related to the surface water strategy. We need to advise you that Anglian Water has no designated surface water sewers in the area, and we will be unable to offer a surface water solution for the surface water. If there are concerns in the area, we would recommend that you also consult the LLFA for the surface water management for their comments.

**Lead Local Flood Authority: NO OBJECTION** Based on AW's comments, the applicant may require Land Drainage Consent for the surface water outfall to the local ditch from the LLFA, which is separate to the planning process, and may also require consent from the IDB.

**Internal Drainage Board: NO COMMENTS TO MAKE**

**Arboricultural Officer: NO OBJECTION** I've no objection in principle to the amended proposals, subject to conditions for the protection of existing trees and planting of new trees.

The Arboricultural Impact Assessment by A.T. Coombes Ltd dated 19th December 2023 accurately assesses the trees on and adjacent to the site, the tree constraints and how the trees may be protected during development work. It also includes at section 6.4, 6.5, and 6.6 replacement tree planting proposals for those already lost. The proposals are for 25 new trees as listed below, which are suitable for the site:

- 2 Crab apple (*Malus sylvestris*)
- 1 Discovery apple (*Malus* 'Discovery')
- 2 Erman's birch (*Betula ermanii*)
- 2 Japanese maple (*Acer palmatum*)
- 3 Juneberry (*Amelanchier lamarckii*)
- 3 Midland hawthorn (*Crataegus laevigata* 'Paul's Scarlet')
- 1 Purple-leaved Turkish hazel (*Corylus colurna* 'Te-Terra Red')
- 1 Sweet Gum (*Liquidambar styraciflua*)
- 1 Rowan (*Sorbus aucuparia*)
- 2 Tibetan cherry (*Prunus serrula* 'Tibetica')
- 5 Upright cherry (*Prunus amanogawa*)
- 2 Victoria plum (*Prunus domestica* 'Victoria')

The report includes detailed planting specifications and proposes a 5-year maintenance plan.

Tree protection proposals are detailed in appendices, 4 Tree Protection Plan, 5 Arboricultural Method Statement, and 6 Timetable for Implementation of Tree Protection Works.

Can you please add the Arboricultural Impact Assessment by A.T. Coombes Ltd dated 19th December 2023 to the list of approved documents and consider attaching conditions for the protection of existing trees and planting of new trees.

**Natural England: NO OBJECTION** subject to securing appropriate mitigation [GIRAMS payment for the additional dwelling]

**Norfolk Wildlife Trust: NO OBJECTION** We support the comments made by the County Ecologist. Additionally, we request a hedge is planted along the southern section of the site.

**Refuse and Waste Team: NO OBJECTION** I have carefully considered the above application and have no objection subject to a condition requiring a bin presentation area be provided.

**Senior Ecologist: NO OBJECTION** If you are minded to grant consent please condition:  
Details of wildlife enhancements which should include:

- Any boundary treatment must allow free movement for small mammals including hedgehogs. This may include the installation of 2 signed hedgehog gaps per dwelling where impermeable boundaries are proposed for one or more boundary. The boundary to the south must be buffered from development. I suggested a strip of species rich wet grassland of at least 5m is planted between the proposed development and the woodland boundary. A suitable species mix must be used to suit the wet ground conditions
- Use of flowering lawn seed mixes for gardens and native species in soft landscaping design (including climbers, and night scented shrubs / flowers which will enrich the foraging resources available to bats)
- One bird box and one bat box (or bat tile) should be included per new dwelling to support the local bat and bird populations
- Wildlife sensitive lighting scheme which is in accordance with guidance available from the Institution for Lighting Professionals
- Retention of the silver birch boundary.

**Community Safety and Neighbourhood Nuisance: NO OBJECTION** The site is within 30m of a foul main connection point (manhole) and therefore connection will be required for foul water disposal.

Surface water and land drainage details are noted and acceptable with the understanding that land drainage consent may be required via the LLFA.

However, it has been suggested that waste from site clearance has been dumped into the drains around the site (filling/blocking them), and that these drains are known to overflow. If this has occurred, the drains must be fully cleared out again.

It is also important to add that this site is currently under investigation by this team due to the impact of the works on the site (noise, and bonfires/odour) with respect to this retrospective application. The noise complaints are only days old. We therefore must request conditions relating to site hours and construction parking are attached to any approval issued to enforce the control measures required to protect residential amenity for the existing residents around the site.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION**

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.

**Police Architectural Liaison Officer: NO OBJECTION** The amended plans have suitably addressed previous concerns.

**Norfolk Fire and Rescue: NO OBJECTION** the development will need to meet the necessary requirements of Building Regulations.

## REPRESENTATIONS

**FOUR** letters of **OBJECTION** were received in relation to the original proposal for 2No. new dwellings. The reasons for objection can be summarised as:

- Surface water flooding is a problem since the removal of several of trees (c.30.) Therefore, drainage needs to be fully considered
- The drain serving the woodland is shown in the wrong place on the plans
- Noise, foul language from the workmen, and fires to burn materials are unwelcome
- The site should be made secure
- Refuse bins should not be placed near the boundaries with existing dwellings
- Overlooking; a 1.8m high close boarded timber fence should be provided to the rear of all affected dwellings
- Works have already started
- It appears that the access is over land not in the applicant's ownership, including a public right of way
- Concerns regarding Anglian Water foul water drains and their capacity to deal with additional loads
- Impact on protected species, especially bats
- Increased vehicular activity
- The dwellings should be single storey in keeping with Heather Close to the north and the existing dwelling on the site
- If the application is approved hard surface for all driveways should be required to reduce noise impacts
- It is unlikely that the access arrangements will work and two cars will not be able to pass each other which may mean vehicles having to reverse onto Little Carr Road
- The Council's refuse lorry would not be able to access all the dwellings
- There is not a continuous footway for occupiers of plots 2 and 3 to reach Little Carr Road. A continuous footway should be provided

Following submission of amended plans reducing the number of new builds to 1No., **FOUR** letters of **OBJECTION** have been received. The reasons for objection can be summarised as:

- Drainage / flooding. The removal of the trees has resulted in surface water flooding of adjacent gardens
- The access to the properties goes over mature tree roots so should be reconsidered
- The remaining part of the footpath has been completely ruined due to the removal of the trees and construction vehicles that has resulted in flooding
- The PROW is not being left accessible as required
- The planting of new trees will not compensate for the removal of the mature trees
- The new trees will cause overshadowing of properties on Heather Close and may result in damage to existing properties and boundaries
- Noise – there has been a whole year of noise as a result of works on the site
- The site is constantly under water (at least 2 inches); placing a large building on this waterlogged site is only going to make matters worse
- Contractor vehicles should be parked on the site
- Working hours should be 8am to 4.30pm Monday to Friday only with no weekend working
- The new dwelling should not be a chalet bungalow as this will result in overlooking
- Trees were removed before an arboricultural assessment was undertaken
- The proximity of new trees to neighbouring dwellings is of concern\* A plan showing where the new trees are to be planted should be submitted

- Increased traffic generation as a result of the proposed development with no turning circle means there could be conflict with users of the PROW.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS09** - Housing Distribution

**CS11** – Transport

**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**

### **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 setting of the National Landscape Impact on Neighbour Amenity
- Highway Impacts
- Trees and Landscaping
- Drainage
- Ecology
- Crime and Disorder
- Other Material Considerations



## **Principle of Development:**

Paragraph 123 of the NPPF states that *Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions.*

The site lies within the Development Boundary of North Wootton, a settlement defined as being adjacent to the main town of King's Lynn in the settlement hierarchy (Core Strategy Policy CS02) and in an area where the principle of residential development, of an appropriate scale, can be supported subject to compliance with other relevant planning policy and guidance.

## **Form and Character and Impact on the setting of the National Landscape:**

Paragraph 135 states *Planning policy and decisions should ensure that developments:*

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities)*

This is reiterated in Development Plan Policy CS08 that states *All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to: respond to the context and character of places in West Norfolk by ensuring that the scale, density, layout and access will enhance the quality of the environment, and DM15 which states that The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*

Additionally, the site lies adjacent to the North Norfolk Coast National Landscape. The NPPF requires development within the setting of a designated area to be sensitively located and designed to avoid or minimise adverse impacts on the designated area (para 182.)

This is reiterated in Development Plan Policies CS01 and CS12.

It is pertinent to note that the proposed development has been reduced from remodelling of the existing dwelling and the erection of 2no. new dwellings to the remodelling of the existing dwelling and the erection of 1no. new dwelling. This was in order to address the concerns of the Parish Council (in relation to overdevelopment), the LPA (in relation to impact on occupiers of neighbouring dwellings), and the arboricultural officer (in relation to the impact on trees.)

Little Carr Road and Heather Close, the latter of which is accessed from Little Carr Road and lies to the immediate north of the site, provide a variety of dwelling types, ages, design and materials, although Heather Close is largely characterised by modest and traditional single storey dwellings on relatively small plots constructed from brick under concrete roof tiles. The site is read more in context with Heather Close than the remainder of Little Carr Road. The density of development of the properties on Heather Close that share a boundary with the site is 23.8d/ha; the density of the proposed development is 11.8d/ha. It is therefore considered that the density, that is well below the adjacent development, is acceptable and that the reduction in the number of units on the site has addressed the issue of overdevelopment.

The existing dwelling is constructed from a mixture of buff brick and render under a tiled roof. The remodelled dwelling is of the same height and width as the original dwelling with the length is to be reduced by approximately 2.6m. Materials are not shown on the plans but are stated in the application form to be render under a tiled roof which are the same materials as proposed for the new dwelling. Whilst some third parties suggest render is not appropriate, the existing dwelling had render on its eastern and western elevations and render is therefore considered acceptable. The majority of these works, if not all of them given that new materials are not being proposed because of the existing render, fall within permitted development.

Given the relatively low ridge and eaves height of the proposed new dwelling (5.2m and 2.7m respectively) it is not considered that the fact that the dwelling is 1.5 stories results in development that would be overbearing, dominating or incongruous in the locality.

The existing, remodelled and new dwellings are of simple architectural design. Given the scale of development and separation from the National Landscape by substantial trees it is not considered that the proposed development would have an adverse impact on the designated area.

As such, and whilst contrary to some third-party comments, it is considered that the development would relate adequately to the site and its wider setting and accords with the NPPF in general and specifically to paragraphs 135 and 182 of the NPPF and Development Plan Policies CS01, CS08, CS12 and DM15.

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

Paragraph 135f) of the NPPF requires development to have a high standard of amenity for existing and future users. This is reiterated in Development Plan Policy DM15 that states that *Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.*

The remodelled dwelling will have no greater overlooking, overbearing or overshadowing impacts than the existing.

The new dwelling has only one window on its northern elevation, and this is a high-level secondary window. As such there would be no material overlooking. Whilst the development would result in some overshadowing, this would be for limited periods of the day and would not be sufficient to warrant refusal. Additionally, it is clear that the properties to the north of this dwelling would have been more heavily overshadowed by the trees that have been removed from the site than the proposed dwelling. Likewise, it is not considered that the new dwelling would have an unacceptably overbearing impact given the distances involved (5m to the boundary and 13 metres to the nearest elevation which is a diagonal distance.) In comparison the existing dwelling is only 3.5m from the boundary and 8.4m to the nearest elevation which is a direct back-to-back relationship. Additionally, the position of the new dwelling, centred between the two dwellings to the north leaves substantial spacing between developments retaining an open feel.

As such, and whilst contrary to some third-party comments, it is not considered that the proposed development would result in unacceptable overlooking, overbearing or overshadowing impacts and would not therefore have a significant adverse impact on the amenity of others.

It is therefore considered, in relation to neighbour amenity, that the development accords with the NPPF in general and specifically to paragraph 135f of the NPPF and Development Plan Policies CS08 and DM15.

## **Highway Impacts:**

The NPPF requires safe and suitable access to be achieved for all users (para 114b) and states, at paragraph 115, that *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

This is reiterated in Development Plan Policies CS11 and DM15.

In relation to public rights of way, paragraph 104 of the NPPF states that *Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.*

The existing and proposed dwellings will be accessed via the access that currently serves the existing dwelling. This access is shown to partly include a PROW (North Wootton FP10.) Subject to conditions neither the Local Highway Authority nor Public Rights of Way Team at Norfolk County Council object to the proposed development.

Some third-parties have stated that the existing PROW is being affected by construction works. Photographs supplied by third parties were forwarded to the PROW team who have their own powers to take action if they consider it necessary.

The proposed development complies with parking standards as required by Development Plan Policy DM17 (2 spaces for 2 and 3-bed properties; 3 spaces for 4 or more bed properties.)

It is therefore considered, in relation to highway issues, that the development is in general accordance with the NPPF and specifically to paragraphs 104, 114b and 115 of the NPPF and Development Plan Policies CS11, DM15 and DM17.

## **Trees and Landscaping:**

Paragraph 136 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.*

A number of trees have been removed from the site (c.30.) These trees were not protected and therefore the applicant was well within their rights to remove the trees. Notwithstanding this, to counter the loss, the applicant is proposing to plant new trees. There is some discrepancy in the numbers, with the plans showing 40 trees, but the tree report suggesting 25. The vast majority of these have been shown along the northern boundary of the site, between the site and existing dwellings in Heather Close. Unsurprisingly this has resulted in concerns from occupiers of dwellings living in Heather Close in relation to overshadowing and impacts from the tree roots to their properties and boundary treatments. Discussion with the arboricultural officer support these concerns and therefore, whilst tree planting will still be required by condition, the condition will require agreement to the number, location, and type of the proposed trees to ensure that they won't result in future unacceptable impacts to occupiers of the development itself or neighbouring properties.

A new native hedge is proposed to be planted along the southern boundary at the request of Norfolk Wildlife Trust to enhance biodiversity, and this will be conditioned if permission is granted.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraph 136 of the NPPF.

### **Drainage:**

Paragraph 173c) of the NPPF requires development to incorporate sustainable drainage systems where appropriate. This is reiterated in Development Plan Policies CS08 and CS12.

Third parties have suggested that the loss of the trees has resulted in drainage issues on both the site and neighbouring land including neighbours' gardens. This is not an unacceptable conclusion.

Notwithstanding this, a surface water drainage scheme has been submitted that has satisfied the Community Safety and Neighbourhood Nuisance Team that surface water drainage can be suitably addressed.

The IDB has confirmed that they have no comments to make because the site lies outside of their drainage district. Likewise Anglian Water has no comments to make because the surface water drainage proposal does not affect their assets. Additionally, they have confirmed that foul drainage can be accommodated.

The surface water drainage strategy states that soakaways are not possible due to the depth of the groundwater table and therefore discharge to an existing ditch to the southeast of the site with attenuation crates to deal with storm events is proposed. This is in line with the drainage hierarchy. The Lead Local Flood Authority has suggested that land drainage consent maybe required. If this is the case this would take place outside of the planning system between the LLFA and the applicant.

The development will be conditioned to be carried out in accordance with the submitted scheme.

It is therefore considered that drainage can be suitably conditioned and that the development is therefore in accordance with the NPPF in general and specifically to paragraph 173c) of the NPPF and Development Plan Policies CS08 and CS12.

### **Ecology:**

The NPPF requires development to minimise impacts on biodiversity and providing net gains where possible (para 180c). This is reiterated in Development Plan Policy CS12 which requires development to *avoid, mitigate or compensate for any adverse impacts on biodiversity*.

The LPA's Senior Ecologist raises no objection to the proposed development on the basis of its impact on protected species and site biodiversity subject to conditions relating to enhancements including the planting of the southern hedge previously mentioned, wildlife sensitive lighting and the provision of 1no. bird and 1no. bat box per dwelling as well as flowing lawn seed mixes for gardens.

In relation to the impact on [European] Protected Sites Natural England has confirmed that the Appropriate Assessment submitted by the applicant is suitable for adoption by the Local Planning Authority and that they agree with its findings that payment of the GIRAMS fee, in line with Development Plan Policy DM19, will suffice in this instance to address any impacts.

It is therefore considered that the development accords with the NPPF in general and specifically to paragraph 180c) of the NPPF and Development Plan Policies CS12 and DM19.

### **Crime and Disorder:**

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

### **Other Material Considerations:**

In relation to the Parish Council and third-party comments not covered above your officers respond as follows:

- The size of the access road and access to parking for property number 2 still appear inadequate for larger vehicles – *neither the Local Highway Authority nor Waste and Recycling Team raise any objection in relation to access and parking*
- Overdevelopment – 3 houses are too many for the size of the site – *it is considered that this has been addressed by the reduction from 3 to 2 (net gain of 1)*
- Significant works have been started on site – *there is nothing preventing works commencing without planning permission at the risk to the applicant. Notwithstanding this at the time of the site visit the only works taking place were in relation to the existing dwelling which fall within permitted development*
- Noise, foul language from the workmen, and fires to burn materials are unwelcome – *the majority of these impacts should be addressed by the proposed site construction hours*
- Increased vehicular activity – *it is not considered that a net increase of 1 dwelling will materially increase vehicular activity in the locality.*

### **CONCLUSION:**

The development relates largely to the provision of an additional dwelling because works to the existing bungalow are considered to fall within permitted development rights. Notwithstanding this the remodelling of the existing dwelling has been included in the application and has therefore been given due consideration and in this regard the development is considered acceptable in all aspects.

Paragraph 2 of the NPPF states that *Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.* This is reiterated in Paragraph 47 of the NPPG.

The provision of an additional dwelling in this location, contrary to the Parish Council and third-party objections, is considered acceptable in terms of visual, neighbour, highway, drainage, landscape and ecological issues and is in accordance with the NPPF in general and specifically to paragraphs 2, 47, 104, 114b), 115, 123, 135a), b), c) and f), 136, 173c), 180c) and 182 of the NPPF and Development Plan Policies CS01, CS02, CS08, CS11, CS12, DM1, DM2, DM15, DM17 and DM19.

It is therefore recommended that permission be granted subject to the following 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 in accordance with the following approved plans, drawing numbers:  
  
NA-227 LCR-NW-N-SL02 Rev.W  
NA-227 LCR-NW-N-SL04  
NA-227 LCR-NW-N-05 Rev.A  
NA-227 LCR-NW-N03 Rev.D  
MS-D-N-02 Rev.F  
23205-001 P4  
23205-001 P3
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Within two months of the date of this permission or prior to the commencement of any works in relation to Plot 2 a scheme detailing provision for on-site parking for construction workers and storage of materials for the duration of the construction period shall be submitted to and approved in writing by the LPA. Construction shall take place in accordance with the approved scheme.
- 3 Reason: In the interests of the amenity of the locality in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 4 Condition: Within two months of the date of this permission or prior to the commencement of any works in relation to Plot 2 all tree protection measures including tree protective fencing, ground protection, arboricultural monitoring and site supervision shall be implemented in strict accordance with the Tree Protection Plan (appendix 4), Arboricultural Method Statement (appendix 5), and Timetable for Implementation of Tree Protection Works (appendix 6) contained within the approved Arboricultural Impact Assessment by A.T. Coombes Ltd dated 19th December 2023.
- 4 Reason: To avoid harm to existing trees that enhance the general amenity of the area in which the development is located in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 5 Condition: Prior to any works that would affect the public right of way (PROW) full details shall be submitted to and agreed in writing by the Local Planning Authority. Additionally, the applicant will need to apply for a Temporary Traffic Regulation Order which must be confirmed before any works commence which would impact upon the PROW, this includes surfacing and the laying of services.
- 5 Reason: To protect the Public Right of Way in accordance with the NPPF.
- 6 Condition: Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between

the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.

- 6 Reason: In the interests of the amenity of the locality in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 7 Condition: Prior to the first occupation of Plot 2 facilities shall be provided within its curtilage for the storage of recycling, refuse and waste materials bins. Additionally, an impervious 4 x 240 litre wheeled bin presentation point immediately adjacent to Little Carr Road shall be provided prior to the first occupation of Plot 2, in accordance with details to be submitted to and approved by the Local Planning Authority.
- 7 Reason: To ensure that waste and recycling is properly taken account of and that the development functions well in accordance with the NPPF.
- 8 Condition: Notwithstanding the approved plans, prior to the first occupation of Plot 2 at least 25 new garden trees shall be planted in accordance with Section 6 of the Arboricultural Impact Assessment by A.T Coombes Ltd dated 19th December 2023 and a tree planting plan showing the locations for the new trees that shall be submitted to and approved in writing by the Local Planning Authority. The planting locations shall avoid future conflicts with and provide for a harmonious long-term relationship with neighbouring properties to the north of the development site. The development shall be carried out prior to the first occupation of Plot 2 in accordance with the approved plan. Any trees which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.
- 8 Reason: To ensure trees are planted and subsequently protected to ensure continuity of tree cover in the interests of the visual amenity of the locality in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 9 Condition: Prior to the first occupation of Plot 2 a hedge shall be planted along the southern boundary of the site as shown on approved plan NA-227 LCR-NW-N-SL020 Rev.W in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The hedgerow should be native and biodiverse and include fruiting species. The details shall include planting plans, written specifications (including cultivation and other operations associated with establishment), and schedules of plants noting species, sizes and numbers. Any plants that, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species unless otherwise agreed in writing by the local planning authority.
- 9 Reason: In the interests of biodiversity in accordance with the NPPF and Development Plan Policy CS12.
- 10 Condition: Excluding the area covered by condition 9 of this permission, prior to the first occupation of Plot 2, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 10 Reason: To ensure the development is appropriately landscaped in the interests of visually amenity in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 11 Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of Plot 2 or in accordance with a programme to be agreed in writing with the Local Planning Authority. 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.
- 11 Reason: To ensure the development is appropriately landscaped in the interests of visually amenity in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 12 Condition: No development shall take place on any external surface of Plot 2 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.
- 12 Reason: To ensure a satisfactory external appearance and grouping of materials in the interests of visually amenity in accordance with the NPPF and Development Plan Policies CS08 and DM15.
- 13 Condition: Prior to the first occupation of Plot 2, 1no. Schwegler wall-mounted bat shelter 2FE and 1no. Schwegler Nest Box 1B, or products of a similar specification, shall be erected / installed onto each dwelling and shall thereafter be maintained and retained for the lifetime of the development.
- 13 Reason: In the interests of biodiversity in accordance with the NPPF and Development Plan Policy CS12.
- 14 Condition: Prior to the installation of any external lighting associated with Plot 2, a detailed wildlife sensitive outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 14 Reason: In the interests of biodiversity and amenity in accordance with the NPPF and Development Plan Policies CS12 and DM15.
- 15 Condition: The proposed access, car parking and turning areas shall be laid out, surfaced and drained in accordance with the approved plan prior to the first occupation of each respective dwelling and retained thereafter available for that specific use.
- 15 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF and Development Plan Policies CS11 and DM15.



- 16 Condition: The drainage shall be carried out in accordance with drawing numbers 23205-001 Rev.P4 and 23205-002 P3 prior to the first occupation of each respective dwelling and thereafter been retained and maintained as constructed.
- 16 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF and Development Plan Policies CS08 and CS12.