

<b>Parish:</b>	<b>Brancaster</b>	
<b>Proposal:</b>	<b>Reserved Matters application: Construction of one dwelling.</b>	
<b>Location:</b>	<b>Land At Cross Lane Brancaster King's Lynn</b>	
<b>Applicant:</b>	<b>Mr &amp; Mrs H. Coghill</b>	
<b>Case No:</b>	<b>24/00280/RM (Reserved Matters Application)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 18 April 2024 Extension of Time Expiry Date: 11 October 2024</b>

**Reason for Referral to Planning Committee** – Called in by Cllr de Winton and Officer Recommendation is contrary to Parish Council Recommendation

**Neighbourhood Plan:** Yes

**Case Summary**

The site is located on the northern side of Cross Lane in Brancaster which is classified as a Joint Key Rural Service Centre along with Brancaster Staithe and Burnham Deepdale in the Settlement Hierarchy of the Development Plan (CS02.)

The site is in a primarily residential location with residential properties to all four compass points, and a small caravan park to the northeast. To the immediate east of the site lies two accesses tracks that serve development to the north and separates the site from the property to the east (The Chimneys.) Access to the site will be from the western of these existing accesses tracks. Likewise, to the west of the site lies an existing access track serving development to the northwest. This, along with an area of amenity land, separates the site from the property to the west (Oyster House.)

Reserved matters consent is sought for access, appearance, landscaping, layout, and scale following approval of outline consent in April 2021 for 1no. dwellinghouse under application 20/01695/O.

The proposal is for a substantial detached, 2.5 storey, 6-bed dwellinghouse.

The site lies within the Conservation Area and North Norfolk National Landscape and is within Flood Zone 1.

Most of the trees along the eastern and southern boundaries of the site are protected by a Tree Preservation Order with the remainder being protected by virtue of their size and location within a Conservation Area.

## **Key Issues**

Principle of Development  
Form and Character and Impact on Conservation Area and National Landscape  
Highway Impacts  
Neighbour Impacts  
Trees and Landscaping  
Ecology and Biodiversity  
Crime and Disorder  
Other Material Considerations.

## **Recommendation**

**REFUSE**

## **THE APPLICATION**

Reserved matters consent is sought for access, appearance, landscaping, layout, and scale following approval of outline consent in April 2021 for 1no. dwellinghouse under application 20/01695/O.

The site is dissected in approximately a 70:30 split with the southern 70%, where most of the built form (the dwelling) is to be located, falling within the development boundary and the northern 30% laying outside of the development boundary. This fully accords with the outline consent.

The site has hedgerows to the western and southern boundaries the latter of which also has a low wall in to the southwest corner. The other two boundaries are currently unbounded. There is a substantial tree belt to the west of the site and several substantial trees along the southern boundary. These trees are protected by a Tree Preservation Order.

The proposed dwelling is a substantial 2.5-storey dwelling to be constructed from a mixture of flint with red brick ashlar and red brick with a small element of timber cladding under a red pantile roof.

### *Key Dimensions:*

- Main ridge = 10.7m
- Main eaves = 6.2m
- Forward projection ridge = 5.8m
- Forward projection eaves = 3.3m
- Rear projection ridge = 5.6m
- Rear projection eaves = 3m

The proposed dwelling would provide:

### *at ground floor level:*

- A kitchen / diner,
- Shadow kitchen,
- Larder,
- Wine Store,

- Snug / TV room,
- Lounge leading onto an outdoor dining area,
- Boot room,
- Utility,
- WC,
- Plant room,
- Covered storage area,
- Storage and
- Swimming pool and ancillary building containing plant, store, changing room and WC.

*at first floor level:*

- Three en-suite bedrooms, the principle of which has a dressing room and balcony,
- A further bedroom and
- Bathroom.

*at second floor level:*

- Two further bedrooms and a bathroom.

## **SUPPORTING CASE**

We currently live in London with our three young children, but we have for a long time wanted to move back to Norfolk when the appropriate time in our lives arrived. With that in mind, we began looking for a family home in Norfolk several years ago and eventually bought a plot in Brancaster just over two years ago. We did not plan to build a new home, and in many ways buying an existing house would have been much easier, but the opportunity to build our future lives as residents on Cross Lane in Brancaster was too good to miss.

We have extensive current and longstanding family ties to Cross Lane and Brancaster, including an existing resident family member, as follows:

- Harry's grandparents lived in Brette House on Cross Lane (just a couple of hundred yards down the road from our plot) for many years during the 1960s and 1970s.
- Harry's grandfather assisted in the foundation of the village club in the early 1970s, was Brancaster Churchwarden for many years, and is buried in Brancaster cemetery.
- Harry's aunt moved back to Brancaster with her husband in 1994. Although she has since died,
- Harry's uncle still lives in Brancaster with his partner (also just a few hundred yards from our plot).
- Many members of Harry's family have celebrated important life events in Brancaster church over the years, including his older brother being christened there in 1976 as well as another aunt and cousin getting married there in 1970 and 2012 (respectively).

In terms of connections to the wider local community, Harry's parents have lived in the area for over 50 years (currently in South Raynham) and his younger brother is a local GP in Fakenham.

Harry was born in the Norfolk & Norwich in 1978 and grew up locally. He has been a member of Brancaster golf club since he was 10 years old and has deep family ties to the village.

Charlotte has visited the area regularly over the last 25 years and, since we have had children, spends each summer in Brancaster (in a house that we rent). She is an active member of the Brancaster Staithe sailing club and volunteers each summer to help with sailing courses that the club runs for children.

We intend to make Brancaster our full-time family home as soon as possible. In essence, Harry (fully supported by Charlotte) wants to “return home” to the area where he grew up and has subsequently spent so much time with his own family. We are not asking permission to build a holiday home, but rather our future family home: we intend to sell our home in London and move our family to Brancaster.

We have been open and upfront throughout the planning process that we would like six bedrooms in our new home. We currently have seven bedrooms in our London home (albeit one is currently used as a “home office”) and so this would allow us to maintain our current family lifestyle when we move to Brancaster. The bedrooms shown in the proposed design of our new home are relatively modest, but we would like to have two spare rooms so that we can have family and friends to stay at Christmas and other times throughout the year.

Indeed, it is our hope that our children will in due course have their own children and we would very much like our future grandchildren to have Brancaster as part of their lives, including by spending Christmas, Easter and other holidays with us.

Our close family links to the Brancaster community have resulted in strong local support for our plans, as demonstrated by the fact that we have the support of Brancaster Parish Council and that 12 public comments have been posted on the planning website – 11 of which are supportive (with no objections and the one neutral comment focussing on conservation issues that we have subsequently addressed through revisions to the design).

Officers are of the opinion that our application for a larger dwelling does not accord with Policy 1 (Appropriate Housing) of the Brancaster Neighbourhood Plan because we and our children do not currently live permanently in the village. However, the wording of the policy is open to interpretation.

Our wider family has been resident in Brancaster for many years, dating back to the 1960s, and the supporting text of Policy 1 recognises that “in exceptional cases in the opinion of the Parish Council there may be a need to provide 5 or more bedrooms to accommodate the needs of a resident local family”. In our case is clear support from the Parish Council who consider that the proposal complies with Policy 1 of the Neighbourhood Plan given our longstanding and existing links to the village and our full intention to be a local resident family, which constitute exceptional circumstances.

Moreover, the policy is not intended to prevent a family that wants to live full-time in Brancaster from building a six-bedroom home rather than buying an existing home of that size: the supporting text explicitly states that the purpose of the policy is to prevent further large second homes and holiday homes.

We would be extremely grateful if the committee felt able to support our plans to make Brancaster our future family home and to become full-time members of the village community we know so well.

## **PLANNING HISTORY**

20/01695/O: Application Permitted: 09/04/21 - Outline Application for 1 dwelling further to subdivision of amenity land.

Planning Committee  
7 October 2024

## RESPONSE TO CONSULTATION

**Parish Council: NO OBJECTION** The Parish Council considers that this proposal complies with Policy 1 (size of housing) of the Brancaster Parish Neighbourhood Plan given the applicants' longstanding and existing links to the village and their intention to be a local resident family, which the Parish Council considers to constitute exceptional circumstances.

**Highways Authority: NO OBJECTION** In relation to highways issues only Norfolk County Council does not wish to restrict the grant of consent.

Should your Authority be minded to the grant of consent, I would seek to append conditions relating to visibility splays and parking provision.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** because it has been confirmed that the primary method of heating is ASHP with gas as backup.

**Community Safety and Neighbourhood Nuisance: NO OBJECTION** Mains drainage for foul water should be considered in relation to Anglian Water requirements which are that flows from a swimming pool are considered contaminated flows (Trade Effluent flows.)

We would also require conditions covering external lighting and ASHP details.

**Natural England: NO OBJECTION** subject to securing appropriate mitigation which in this instance should be via GIRAMS payment.

The shadow Habitats Regulation Assessment (sHRA) that was submitted by the applicant is of a standard that can be adopted by the Local Planning Authority as competent authority and Natural England can confirm that it agrees with the conclusions of the sHRA.

**Senior Ecologist: NO OBJECTION** Natural England have not raised any issues beyond a requirement for GIRAMS to mitigate in combination recreational impacts. Please could the sHRA GIRAMS template be completed by the planning officer so that it can be used as our record of HRA. I have no comments to make to make on this application.

**Arboricultural Officer: NO OBJECTION to revised scheme.** The applicant has reduced the width of the main 2 storey element 1m by moving the west gable towards the east increasing the gap to the west boundary trees. Moved the lower single storey garage wing eastward by 2m again increasing the gap to the west boundary trees making space for tree protective barriers and ground protection to the full extent of the RPA, rotated the pool so that it is outside the RPAs of the trees, and removed the boundary wall and moved the pool plant reducing the impact on adjacent trees. The outdoor dining area has been shown as being constructed on 4 posts similar to a typical carport type structure.

The applicant has submitted revised Arboricultural information reflecting the revised design which includes a revised Tree Protection Plan and Arboricultural Method Statement.

The revised design has addressed my initial concerns, and I can withdraw my objection to the proposal subject to tree and landscape conditions.

**Conservation Officer: NO OBJECTION to revised scheme.** The applicant has reduced the height of the two-storey section, rotated the swimming pool and retained the wall at the junction with Cross Lane. A heritage statement addendum has also been submitted.

These documents have allayed our concerns and we do not object to the application.

Planning Committee  
7 October 2024

Please consider conditions relating to the repair and retention of the wall and details of all external materials.

## **REPRESENTATIONS**

**ELEVEN** letters of **SUPPORT** have been received in relation to the proposed development. The reasons for support can be summarised as:

- The proposed development would maintain the high level of quality of development in Cross Lane and would not be out of keeping with other substantial family homes,
- The family have, and have had for many years, a substantial family connection to the immediate area,
- Younger families with the intention of living here permanently is what the community needs, not simply properties to be built and sold on or rented out at holiday times,

**ONE** letter neither objecting nor supporting the application was received. The issues raised relate to:

- Is the height and size of new dwellings as per the Neighbourhood Plan being considered?
- Hopefully the noise emanating from heating and pool plants will be minimised,
- The Conservation Team's initial comments should be seriously considered.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**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**

**Policy 1** - Appropriate Housing

**Policy 2** - Design, Style and Materials

**Policy 3** - Footprint for New and Redeveloped Dwellings

**Policy 4** - Parking Provision

**Policy 8** - Protection of Heritage Assets and Views

**Policy 10:** Protection and Enhancement of the Natural Environment and Landscape

## **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 and Impact on Conservation Area and National Landscape  
Highway Impacts  
Neighbour Amenity  
Trees and Landscaping  
Ecology and Biodiversity  
Crime and Disorder  
Other Material Considerations.

### **Principle of Development:**

The principle of development (construction of 1no. dwelling) was found acceptable by extant outline consent granted under application 20/01695/O.

The layout has taken account of the development boundary with most of the built form (the dwelling) being constructed within the part of the site that falls within the development boundary and only a small element of the single storey rear projection (c.3.5m) extending beyond the development boundary.

Brancaster Neighbourhood Plan has several 'in principle' policies relating to the construction of new dwellings. Policy 1 is pertinent in this case and states *Residential development including new houses, replacement dwellings, conversions to homes or extensions to existing properties should be of a type and size that positively contributes to meeting the latest assessment of housing needs in general, and for smaller properties in particular. This includes providing starter homes or smaller family homes (up to three bedrooms) and dwellings to meet the needs of older people.*

*Larger dwellings of five bedrooms or more will only be supported in exceptional circumstances where the approach meets the needs of a local resident family.*

*New buildings should be of a scale which is in keeping with the character of their immediate context. New dwellings should be two storeys in height unless it can be demonstrated that their bulk, mass, design and layout can be satisfactorily incorporated within the immediate locality.*

*Development proposals should take account of the key features of views of, and within, the Area of Outstanding Natural Beauty, the Brancaster Conversation Area and of listed buildings through careful design and sensitive layouts.*

*Appearance:* The appearance of the dwelling and how it relates to its setting is covered in the following section of this report.

*Size:* The second paragraph states that larger dwellings of five bedrooms or more will only be supported in *exceptional* circumstances to *meet the needs of a local resident family*. That is to say that the family should be a local resident family and regardless of this, only in exceptional circumstances would such a large dwelling be supported.

However, whilst the LPA does not contest that the applicant has strong links and family ties to the area, they do not reside here; they currently live in London. Likewise, the LPA do not contest that the applicant wishes to relocate here, but that does not make them an existent resident family.

The applicant explains in a supporting statement that accompanied the application that as a family of five, six bedrooms are required to allow them to have two spare bedrooms. This would enable the applicants to have guests or grandparents stay overnight with them; with the future vision that the two additional bedrooms will allow their future grandchildren to come and stay. However, the LPA does not consider the desire for two spare bedrooms to represent a need or an exceptional circumstance but more of a wish list that many people aspire to.

Whilst the LPA acknowledges the support of the Parish Council as well as third party representations, the proposal does not accord with the policy requirements. It is also important to acknowledge that whilst third party support is for a permanent family home there is nothing preventing the property being sold on, unrestricted, as soon as it is built (it should be noted that the LPA is not suggesting this is what is planned; but without any control this is what could happen.)

In a bid to find a compromise, given that the preamble to Policy 1 makes it clear that this restriction is to try to ensure a permanent population, the LPA requested that the applicant agree to a principal dwelling condition. However, the applicant would not agree to such a condition for various reasons including that they were likely to initially be in breach of such a condition.

It is clear from the pre- and post-amble to Policy 1 of the Neighbourhood Plan is that the intention of this policy is to maintain a supply of smaller housing in the village.

Paragraph 2 of the NPPF reiterates the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 for *applications for planning permission [to] be determined in accordance with the development plan unless material considerations indicate otherwise.*

For the reasons outlined above, it is not considered that the proposed development accords with Neighbourhood Plan Policy 1 because the applicants are not a local resident family. Whilst it is acknowledged that policy is open to interpretation, your officers do not consider that the policy extends to the relatives of a family that resides in the village. Furthermore, your officers do not consider that two-additional spare bedrooms constitutes a need. Therefore, even if there were an exceptional circumstance, there is not a need.

The development is therefore contrary to Policy 1 of Brancaster Neighbourhood Plan and, because there are no material considerations that suggest the application should be considered contrary to the Plan, is also contrary to paragraph 2 of the NPPF.

### **Form and Character and Impact on Conservation Area and National Landscape:**

The NPPF, along with the Development Plan and Brancaster Neighbourhood Plan, requires development to be sympathetic, respond sensitively to its surroundings, be visually attractive and add to the overall quality of the area. This is outlined in paragraphs 135a), b) and c) of the NPPF, Development Plan Policies CS08 and DM15 and Neighbourhood Plan Policies 1 and 2.

The site lies within the North Norfolk Coast National Landscape (NNCNL) and Brancaster Conservation Area; sensitive locations where greater considerations are required in terms of form and character and the impacts of the development.

National and Local Planning Policy and Guidance seeks to conserve and enhance National Landscapes. In relation to this aspect, given that the site is surrounded by built form, it is not considered that the development would have a material impact on the NNCNL.

The development therefore accords with the relevant paragraph of the NPPF (182), Development Plan Policy CS12 and Neighbourhood Plan Policies 1, 2 and 10 in relation to the impact on the National Landscape.

The Conservation Area is defined as a Heritage Asset in the NPPF. Paragraph 195 of the NPPF states *These 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.*

Paragraph 205 states *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Paragraph 206 of the NPPF requires any harm to the significance of a designated heritage asset to be clearly and convincingly justified with substantial loss only being acceptable in exceptional circumstances. Finally, paragraph 208 of the NPPF states *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 including, where appropriate, securing its optimum viable use.*

Paragraph 213 of the NPPF acknowledges that not all elements of a Conservation Area will necessarily contribute to its significance.

Protection of the historic environment is reiterated in Development Plan Policies CS01, CS08, CS12 and DM15 as well as Neighbourhood Plan Policies 1, 2, 3 and 8.

In relation to the site, the Conservation Area Statement states *The area around Broad Lane and Cross Lane has a character which is quite distinctive to Brancaster. This consists of over twenty large properties set out in a low-density format laid out to the principles of 'informal arcadia' – a conscious attempt to create the illusion of a rural environment in a residential area. The villas are designed as surprise features in the landscape. As many of these properties were laid out in the early 20th Century, their heavily landscaped gardens have now reached maturity and the strong boundary planting creates quiet lanes along which the sound of garden birds is quite noticeable. The planting also includes some impressive specimen mature trees. In Cross Lane some dwellings have been demolished to*

*be replaced by new houses or drastically extended, so that few of the original dwellings remain along the edge of the marsh.*

This statement remains largely consistent with this part of Cross Lane which remains characterised by substantial dwellings centrally located within relatively large plots; most of larger dwellings are more modern replacement dwellings. There are also examples of 2.5 storey dwellings in the locality.

Policy 1, which is outlined in full in the *Principal of Development* section above, requires larger dwellings, where they comply with the other elements of the policy, to be of a scale which is in keeping with the character of their immediate context. In this regard, as outlined above, a 2.5 storey dwelling is contextually acceptable.

The proposed materials are vernacular and accord with Neighbourhood Plan Policy 2.

Plot coverage is less than 50% as required by Neighbourhood Plan Policy 3.

The proposed dwelling is considered to be of a scale, mass, design, and appearance that are consistent with the locality; the use of vernacular materials means that the proposed dwelling would respond to the context and character of the area and would be sensitive and sympathetic to the local setting and pattern of development.

The applicant has satisfactorily addressed all the concerns originally expressed by the Conservation Officer (which pertained to the sense of space being blocked and the openness being obstructed by virtue of the size of the building structures proposed to the front of the proposed and the provision of a boundary wall) by reducing the height of the two-storey element, rotating the swimming pool, and retaining the wall at the junction with Cross Lane.

Your officers conclude that the development would not result in harm to the Conservation Area (a designated heritage asset) and there is therefore no requirement for public benefit to be considered.

Therefore, in relation to form and character and the impact of the development on the National Landscape and Conservation Area, subject to condition, it is considered that the development accords with the NPPF in general and specifically to paragraphs 182, 195, 205 and 206 of the NPPF, Development Plan Policies CS01, CS08, CS12 and DM15 and Neighbourhood Plan Policies 1, 2, 3, 8 and 10.

### **Highway Impacts:**

The NPPF (paragraph 114b)), Development Plan (CS11 and DM15) and Neighbourhood Plan (4) all require developments to provide safe access; with the latter two stipulating parking requirements, in this instance at least 3 spaces with on-site turning.

Access is proposed onto Cross Lane via an existing access track to the east of the site that provides access to the dwelling to the rear (Marsh House) which was originally the donor dwelling.

The Local Highway Authority raise no objection based on highway safety and have no objection to the proposed development subject to conditions relating to visibility splays and parking provision (in accordance with the submitted plans.)

Therefore, in relation to highway impacts and parking provision, subject to condition, it can be concluded that the development accords with the NPPF in general and specifically to

paragraph 114b) of the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy 4.

### **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 will be refused.

The main two-storey element of the dwelling that contains habitable windows at first and second floors is of a distance that suggests there would be no material overbearing, overshadowing or overlooking impact.

Proposal to dwelling distances are as follows:

- to Chimneys (to the east) = c.30m
- to Scuppers (to the south (on opposite side of Cross Lane)) = c.36m
- to Oyster House (to the west) = c.23m
- to Marsh House (to the north) = in excess of 85m.

Construction hours and construction workers parking could be secured by condition as could air source heat pump details if permission were granted.

Therefore, in relation to neighbour amenity, subject to condition, it is considered that the proposed development accords with the NPPF in general and specifically to paragraph 135f) of the NPPF and Development Plan Policies CS08 and DM15.

### **Trees and Landscaping:**

*Trees:* Most of the trees on this site are protected by virtue of their size and location within a Conservation Area with all those trees to the west and south additionally benefitting from a Tree Preservation Order (TPO) (2/TPO/00249 – Mixed trees.)

The NPPF places great weight on the importance of trees with paragraph 136 requiring *that existing trees are retained wherever possible.*

No trees are to be lost and five new trees are to be planted near the northern boundary of the site. Details of the new trees could be secured by condition.

Amended plans have fully addressed the initial concerns expressed by the Arboricultural Officer (which pertained to proximity of the proposed development to existing trees) by reducing the width of the main two-storey element 1m by moving the west gable towards the east increasing the gap to the west boundary trees, moving the lower single storey garage wing eastward by 2m again increasing the gap to the west boundary trees making space for tree protective barriers and ground protection to the full extent of the RPA, rotating the pool so that it is outside the RPAs of the trees, and removed the proposed boundary wall and moved the pool plant reducing the impact on adjacent trees. The outdoor dining area has been shown as being constructed on four posts similar to a typical carport type structure.

Subject to conditions relating to tree protection and retention the Arboricultural Officer has no objection to the proposed development based on its impact on protected trees.

*Landscaping:* Landscaping is shown on the proposed site plan although it is not sufficiently detailed and if permission were granted further details could be secured by condition. However, the plans show retention of the existing southern hedge with additional hedge planting to its north (around the pool area) as well as new hedge planting along the western and northern boundaries and northeast corner. Most of the garden is laid to lawn although areas of planting are shown principally around the pool and a green roof is proposed at first floor level over the proposed snug / TV room.

In relation to trees and landscaping it is therefore concluded that the proposed development, subject to conditions, accords with the NPPF in general and specifically to paragraph 136 of the NPPF and Development Plan Policy CS12.

### **Ecology and Biodiversity:**

The NPPF places great weight on protecting and enhancing habitats and biodiversity, with Chapter 15 of the NPPF concentrating on this subject that includes protected sites, sites of specific scientific interest, habitats, and protected species.

This is reiterated in Development Plan Policies CS12 and DM19.

Ecological mitigation was secured at outline stage and is not the subject of this reserved matters application.

A shadow Habitat Regulations Assessment was submitted with the application that has satisfied Natural England and the LPA's Senior Ecologist that, subject to payment of the GIRAMS fee (Green Infrastructure and Recreational Avoidance Mitigation Scheme), the development would not result in a likely significant impact on [European] Protected Sites.

Your officer can confirm that the GIRAMS payment, in accordance with Development Plan Policy DM19, was paid on submission of this application.

Lighting, that could impact both visual and neighbour amenity as well as light sensitive ecological receptors could be suitably conditioned if permission were granted.

Therefore, in relation to ecology and biodiversity, subject to condition, the development accords with the NPPF in general and specifically to Chapter 15 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:**

*Flood Risk:* The site is not in a known area at risk of flooding.

*Drainage:* Drainage details are lacking. However, the development would have to meet building regulations requirements in relation to drainage so is fully covered under other legislation.

Notwithstanding this, given the lack of detail foul and surface water drainage (the former of which includes 'trade effluent' from the swimming pool) could be suitably conditioned if permission were granted.

*Heating:* The Primary heating source will be ASHP's which will be located within the heating services area (at the rear of the single storey rear projection), and the proposed two-way fires will be a secondary heating source. It is likely that the proposed two-way fires will be gas fires rather than log burners in line with the Environmental Quality Officer's suggestion.

## **CONCLUSION:**

The application seeks reserved matters consent for access, layout, appearance, scale and landscaping.

The report has shown that the proposed dwelling itself is acceptable in all regards being of a scale, mass, design and appearance that relates well to the site and its wider setting and would not result in harm to the Conservation Area or North Norfolk Coast National Landscape, would not result in highway safety or neighbour amenity issues with issues such as lighting, construction hours and parking, and drainage being able to be suitably conditioned.

However, unfortunately, and contrary to the opinion of the Parish Council, the applicants are not a local resident family, they do not have a need for a six-bedroom dwelling (more a desire), and there are no exceptional circumstances to suggest that a six-bedroom dwelling should be approved. The development is therefore contrary to Policy 1 of Brancaster Neighbourhood Plan, which forms part of the Development Plan.

There are no material considerations that outweigh the departure from the development plan, and it is therefore recommended that this application be refused for the following reason.

## **RECOMMENDATION:**

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

- 1 Whilst having local ties to the area, the applicants currently live in London and are therefore not a local resident family. Furthermore, even if they were a local resident family, they do not have a need for a six-bedroom dwelling (the provision of two spare bedrooms being a desire more than a need) and there are therefore no exceptional circumstances. The proposed development is therefore contrary to Policy 1 of Brancaster Neighbourhood Plan and because there are no material considerations that suggest the application should be considered contrary to plan is also contrary to paragraph 2 of the NPPF.