

<b>Parish:</b>	<b>Hunstanton</b>	
<b>Proposal:</b>	<b>New Residential Dwelling on land East of 15 Lincoln Street, Hunstanton</b>	
<b>Location:</b>	<b>15 Lincoln Street Hunstanton Norfolk PE36 6AS</b>	
<b>Applicant:</b>	<b>S Curtis</b>	
<b>Case No:</b>	<b>23/02276/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Connor Smalls</b>	<b>Date for Determination: 28 February 2024 Extension of Time Expiry Date: 11 October 2024</b>

**Reason for Referral to Planning Committee** – This application was considered at 08/05 Sifting Panel, and it was resolved that the application could be determined as a delegated refusal, which was the proposal at that time. However, due to amendments being received the officer's recommendation is now to approve based on the amended plans, and the application is therefore required to be determined at planning committee.

**Neighbourhood Plan:** No

### **Case Summary**

The application proposes the subdivision of the existing plot to the east of the main dwelling (Number 15) and the construction of a new dwelling. The application has been amended over time to seek to address concerns regarding the impact on neighbour amenity to the north, the form and design of the building as well as the impact on trees to the south/western boundary. The final proposed development consists of a 1.5 and single storey dwelling, associated parking area and access onto Lincoln Street. The site is located within the Conservation Area.

### **Key Issues**

- Principle of development
- Form and character
- Impact on neighbour amenity
- Highway safety
- Any other matters requiring consideration prior to determination of the application.

### **Recommendation**

**APPROVE**

## THE APPLICATION

The application site consists of an existing detached dwelling set within a large plot characterised by mature trees and the large hedge to the southern and eastern boundary. This plot is located on the prominent corner of Lincoln Street and Cromer Road (A149) in central Hunstanton. The site is therefore residential in character with neighbouring dwellings to the north and west of the site. This location lies within the Hunstanton Conservation Area.

The application proposes the subdivision of the existing residential curtilage to the east of the main dwelling (Number 15) and the construction of a new dwelling with associated parking area and a new vehicular and pedestrian access from Lincoln Street. The resultant plot would be slightly larger but comparable in size to the host dwelling. The proposed dwelling would consist of a 1.5 storey element to the west, with a front gable and rear hipped roof. The eastern projection would be single storey again with a hipped roof. Whilst constrained with the limited form of the proposed dwelling, the design style seeks to be somewhat reflective of the host dwelling with materials including black roof tiles, render and red brick.

The application has been amended over time to seek to address concerns regarding the impact on neighbour amenity to the north, the form and design of the building as well as the impact on trees to the southern boundary.

*This application follows a previous application on this site for a new dwelling that was refused at Planning Committee at the recommendation of officers due to impact on the northern neighbours under application: 23/00348/F.*

## SUPPORTING CASE

Reference is made to the submitted Drawings 674-01 Rev E, 674-400 Rev A and 674-300 Rev B.

Reference is also made to our previous planning application Ref. 23/00348/F.

This second planning application to build a property on the land adjacent to our house addresses the concerns raised by Councillors during their consideration of our previous application (Ref. 23/00348/F) when it was discussed at the Planning Committee meetings held on 2 October 2023 and reconvened meeting on 5 October 2023 following a site visit. The Councillors' concerns at that time related to the height of the proposed property, difference in land levels and proximity to our northern neighbour's boundary.

We have over the last four months worked closely with Hannah Wood-Handy and Connor Smalls at the LPA and, through submitting several iterations of the property design, we have made significant changes to the design and provided additional information as requested by Hannah – in order to address ALL of the Local Planning Authority's specific concerns – to the point that the LPA are now recommending support for our planning application. These numerous design changes and the additional information requested included:

- reducing the ground level by 1100mm – significantly lowering the bungalow on the site. This means the East wall and the South wall near the trees will be a retaining wall with the building set into the ground.
- reducing the bungalow's mass in terms of visual impact and footprint through:
- reducing the upper roof by 300mm both at the eaves and the ridge

Planning Committee  
7 October 2024

- reducing the length of the single storey element by 900mm from the East end
- reducing the width of the single storey element by 225mm from the North end
- as a result reducing the lower roof by 100mm
- Laying a 1200mm path at the new ground floor level along the North wall with steps up to the ground level to the north boundary which would remain as existing. The northern boundary would have a new 1800mm fence running along the entire length, positioned on 15 Lincoln Street side of the boundary.
- Reducing the South wall where the main entrance is to the new lowered ground floor level and then grade up/slope up to the East end of the bungalow.
- Moving the bungalow 400mm North to address the Arboricultural Officer's concerns regarding the RPA of the 3x Silver Birch trees.
- Indicating surface water drainage points on the lowered areas around the bungalow and retaining walls on the updated site plan – Drawing ref. 674-01 Rev E.
- Preparing a street scene drawing (Ref 674-400 Rev A) showing the current varying land level moving West to East along Lincoln Street.
- A visual comparison can be made from this drawing between the current land level and the lowered land level where the bungalow would sit. The lowered element is material.
- This drawing also highlights the significant difference in ridge level heights between the bungalow and its northern neighbours.
- The upper roof ridge height of the bungalow is now 1050mm lower than that of our northern neighbours at No.20 Glebe Avenue (typical reduced height chalet bungalow) and 2780mm lower than that of No.22 Glebe Avenue (typical height chalet bungalow).
- Retaining the new access to the bungalow in the same position as the previous submission. It is to be noted that the electricity pole and stay are shown on the drawing 674-01 Rev E and do not conflict with the proposed access.

We hope that the Councillors will acknowledge our significant efforts to address their previous concerns and approve our application as recommended by the LPA.

## **PLANNING HISTORY**

23/00228/TREECA: Tree Application - No objection: 18/12/23 - 1x Silver Birch tree in row of 4x Silver Birch trees. Specific tree circled red on attached tree location plan.

Fell in conjunction with amended plans. End tree of row. Weakest specimen. Replant nearby with suitable species.

23/00302/F: Application Permitted: 03/05/23 - Proposed Garage, Workshop and Alterations

23/00348/F: Application Refused: 05/10/23 - New residential dwelling on land East of 15 Lincoln Street, Hunstanton

Planning Committee  
7 October 2024

22/00215/TREECA: Tree Application - No objection: 23/11/22 - T1 Tamerisk, T2 Laburnum, T3 Pyracantha, T4 pear, T5 apple, T6 apple, T7 pear, T8 apple, T9 spruce, H1 Leylandii, H2 Privet  
Fell all. All in poor condition, or problematic location.

21/02309/F: Application Withdrawn: 07/04/22 - Residential development of 2 dwellings on land north of Lincoln Street, Hunstanton

## **RESPONSE TO CONSULTATION**

**Town Council: NO OBJECTION:** The Town Council have supported each submission within this application and full comments are available online. Latest response: There has been a number of submissions of this application for a new dwelling, we have taken into consideration all of the comments made previously, however we feel that the changes proposed have addressed all the previous objections and for these reasons the Town Council continue to support the application, it is in line with current council thinking, moving forward we do feel that it fits into our Neighbourhood Plan.

**Highways Authority: NO OBJECTION:** Latest: NCC Highways now raise no objection. Conditions are recommended that would be attached to any approval regarding the parking and turning area, specification of the access, control of permitted development in relation to bollards/chains or any other obstruction as well as an informative regarding works within a public highway.

**Conservation Officer: NO OBJECTION:** Latest comment: We have no objections to the proposals. Please consider conditions relating to; Details of all external materials Extractor vents and flues Joinery details. These conditions are recommended for any approval, other than in regard to vents and flues etc as this is not considered necessary based on the proposed development.

**Historic Environment Service: NO COMMENTS.**

**Environmental Quality: NO OBJECTION:** The applicant has provided a screening assessment stating no known contamination. We have reviewed our files and the site is seen at the beginning of our records with a reservoir on site. Historic maps dated 1891-1912 shows a round structure on a site later labelled as a water tower. The surrounding landscape is largely residential. The information submitted does not indicate the presence of significant land contamination. However, the previous water tower and reservoir on site means that it's possible that some unexpected contamination could be present. A condition regarding unexpected contamination is requested and recommended for any approval.

**Arboricultural Officer: NO OBJECTION:** Latest comment: Having reviewed the latest layout proposed on drawing ref number 674.01E, my comments remain the same. Moving the new building forwards in the plot leaves very little room for development work, typically a minimum of 2 metres working space is required between tree protective fencing and external walls, not allowing for space for the installation of foundations and drainage. Because the design has not been fully informed by Arboricultural information, the design has not allowed for this, the indicative tree protective fencing shown does not provide enough space to physically build the property. Therefore, it is essential that a detailed pre-commencement tree protection condition is attached. A condition is requested and recommended for any approval stating that no work or other operations development shall take place on site until a scheme for the protection of the retained trees including Arboricultural Method Statements

Planning Committee  
7 October 2024

and a Tree Protection Plan or Plans (section 5.5, BS 5837:2012) has been agreed in writing with the Local Planning Authority.

## **REPRESENTATIONS**

### **Councillor correspondence**

Councillor Dickinson originally called this application in, this was subsequently withdrawn on the basis of refusal of the application.

Following the latest amended plans, the call-in has now been completely withdrawn based on following comment:

“Just for the sake of clarity and to avoid any confusion would you please take this email as instruction to withdraw my request to call in this application? The reason for my call in had been because I had planned to be out of the country early in the year and at the time the application had been somewhat controversial, but I have noted that the applicant has now addressed all of the concerns expressed through a series of amendments to the plans and I see no reason for the matter to proceed to Planning Committee, at least not from my perspective.”

### **Third Party Comments (summarised for clarity)**

#### **Final amended plans:**

#### **TWO public OBJECTIONS:**

- It is reiterated that the amendments have not overcome issues already raised.

#### **Comments on previous amendments:**

#### **FOUR Public OBJECTIONS and ONE NEUTRAL comment:**

- Comments from the previous refusal remain relevant.
- The revised location of the proposed building has been moved closer towards neighbouring property, resulting in overshadowing of the property and garden, intruding on privacy, depriving rights of light.
- Noise from another dwelling being in existence as opposed to a garden will be negatively impactful.
- A second level means an increased finished height. Considering the ground levels being at least 1 metre higher than neighbouring properties, and the height increase, this will be overbearing.
- This proposal plans for the kitchen, utility room, en-suite, bin storage and parking bays all to face neighbouring rear gardens to north. Stench and fumes will be very unpleasant and detrimental to neighbours wellbeing, and enjoyment of gardens which have been here since 1890's.
- The build appears to be much larger than the original 15 Lincoln Street property already standing on this plot.
- The proposal would be incredibly imposing, and completely out of keeping in design with the surroundings, and therefore unacceptable in this Conservation Area.
- Reiterated concerns regarding ground disturbance for the Victorian water/sewerage systems and pipework, which may run under the site. Understanding is that they are the original built pipe runs, therefore over 125 years old, and potentially fragile.

Planning Committee  
7 October 2024

- Hunstanton Town Council encourages smaller, more affordable builds, perhaps positively skewed towards first homes/retirement homes. This large, detached build appears to be neither.
- Hunstanton Town Council have launched the Biodiversity Policy (March 2024), which recognises the vital importance of green space for not only our futures, but those of wildlife and plants. The policy sets out to protect habitats, and where developments are proposed, the net biodiversity gain or loss - loss of trees and hedges on site which provide a wildlife corridor.
- Overbearing and overshadowing to northern neighbouring dwelling.
- No intention to lower the site for this build.
- Error in previous land use on submitted Screening Assessment Form for contamination. The form itself states that it is not suitable for larger housing developments, or if there has been a past industrial use on or adjacent to the land. The Hunstanton water tower and reservoir stood on these grounds therefore “Domestic, Agricultural, Commercial” is inaccurate.
- The completed form states that there has been no history of pollution which is incorrect.
- Photographic evidence of the water tower and its works, and position of 16 and 18 Glebe Avenue shows the extent of the water tower and site, plus evidence of the open ground behind 16 Glebe Avenue since original construction. The raised ground of what is suspected to be a reservoir on what is now the garden of 15 Lincoln Street – notes the disparity of land levels between application site and neighbouring rear gardens.
- Have the correct risk assessments have been carried out, considering the previous land use, the direction the sewers run under the proposed development site and the frequent sewerage odours experienced in the area, and the flood pollution that has been known to have happened.
- The proposed development is too much. The existing house has a good-sized garden. If this application is permitted it will create a precedent.
- Applicants may not live at this address forever and someone could buy the potential plot and cause noise pollution to the area.

### **Comments on original submission**

#### **FOUR Public OBJECTIONS**

- Accepted that this application attempts to lessen the negative impact to neighbouring property.
- Concerns about proposal’s proximity to neighbouring boundary and any plans there may be for any future development on the site.
- Reference to Hunstanton Town Council Biodiversity Policy which underscores the council's commitment to preserving and enhancing green space throughout the community. It seeks to ensure planning applications benefit biodiversity by conservation and integration of existing and creation of new habitats.
- The Conservation Team BCKLWN has said this corner garden represents an important piece of open space which greatly contributes to a sense of openness in a densely built-up environment.
- The number of new properties, approximately 700 built or in process of being built, in Hunstanton is a lot - do we really need another one?
- Loss of another mature tree.
- Located within a conservation area. The removal of the decades old hedgrow that borders rear garden will be severely detrimental to many forms of wildlife, bats, birds, small mammals etc, which does not comply with Hunstanton Town Neighbourhood Plan.

- Noise and Pollution - the extra parking spaces created to accommodate this proposed property will mean further noise and fumes from vehicles using those facilities, negatively impacting neighbours garden.
- The noise created from another home being in existence so close to neighbouring property will be negatively impact wellbeing.
- Any property in that location takes away the "dark sky" amenity.
- \*Concerns about the existing waterways and sewerage systems etc, which are Victorian, and may well be disturbed and damaged by any excavation or ground disturbance.
- Neighbourhood Plan: This proposed development does not fit and does not conform with the desires of the residents "To shape and control the future planning decisions and thus development of the town in conformity with the expressed desires of the residents."

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS05** – Hunstanton

**CS08** - Sustainable Development

**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

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy J1** – Fundamentals

**Policy J2** - Natural Environment

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

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

**Policy K4** - Parking Provision

**Policy K5** - Off Road Parking

## **Policy L3 - Mobile Phone and Broadband Provision**

### **NATIONAL GUIDANCE**

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

National Planning Policy Framework – sets out the Government’s planning policies for England and how these are expected to be applied.  
National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

### **PLANNING CONSIDERATIONS**

#### **The main considerations are:**

- Principle of development
- Form and character
- Impact on neighbour amenity
- Highway safety
- Any other matters requiring consideration prior to determination of the application

#### **Principle of Development:**

The site lies within the development boundary of Hunstanton as defined within the Site Allocations and Development Management Policies Plan 2016. Hunstanton is a main town which can support significant growth of residential development. Policy CS05 - Hunstanton of the Core Strategy 2011 seeks to retain and strengthen the role of Hunstanton as a main town in the Borough. Part of this policy seeks to promote opportunities for residential development within the town centre. Policy – K1 Size and Mix of Houses – Housing need of the Hunstanton Neighbourhood plan states that “the development of a range of property sizes and tenures suitable to meet local housing need will be supported.”

As such, in accordance with DM2 – Development Boundaries of the Site Allocations and Development Management Policies Plan 2016, subject to other material considerations and compliance with other policies within the development plan, the principle of development is acceptable.

#### **Form and Character:**

The original submission as part of this application consisted of a fully single storey bungalow with the footprint across a large area of the site. Parking was to the western side of the dwelling with a turning area to the front. The main part of the dwelling was set approx. 4m from the rear northern boundary somewhat central within the site with a wing extending north east further towards the northern boundary. Materials included black tiles, render to the walls with a red brick plinth at the base of several courses.

However, this proposal was considered, due to the large footprint and form, to be overdevelopment - appearing cramped within the plot. Concerns were also raised in regard to impact to the northern neighbouring properties and the levels differences on site and the surrounding area as well as impact on the trees to the front of the plot.

Planning Committee  
7 October 2024

The Conservation Team specifically objected noting that the application site lies on a corner plot within the Conservation Area of Hunstanton. The plot contributes to the significance of the Conservation Area through being part of the large garden associated with number 15 Lincoln Street.

It was considered that the site now represents an important piece of open space within a densely built-up environment with the trees and hedgerows surrounding the site as well as the lack of development within it, contributing to a sense of openness. It also provides an appropriate setting for the late Edwardian villa which is adjacent to it. However, the Conservation Officer states that as historic maps clearly show development on the site, a new dwelling could be accommodated within the grain of development for the area.

Notwithstanding this, the first iteration of the proposed dwelling on this site was not considered acceptable. Creating a single storey dwelling which takes up a large area of the plot of an uninspiring design which draws no inspiration from any good qualities of the architecture which surrounds it, were considered the main issues. It was noted that the Conservation Team have no objection to a dwelling on this site, and a modern architectural style could be accommodated, however the design needs to be appropriate for this plot within the Conservation Area. In addition, while it is appreciated that other bungalows are present in the locality, they are not a common building type in what is, according to historic mapping a 19th century extension to Hunstanton.

Therefore, an amended scheme was put forward. This scheme reduced the footprint of the dwelling, introduced a north-south orientated 1.5 storey element to the west and introduced hipped roof elements to both the single storey side projection and 1.5 storey element to reflect the host dwelling. This retained the same parking arrangement with some hard landscaping to the front and rear of the dwelling. This also moved the dwelling approximately 4.2m from the rear boundary (north). The Conservation Team removed their objection based on this iteration of the plans and noted that the scheme would not be harmful to the character of the Conservation Area as now presented. However, balanced concerns were made in regards to neighbour impact as discussed below. In addition, the Arboricultural Officer raised concerns over the placement of the dwelling and the proximity to the three retained mature trees to the south/eastern boundary.

As such, a final amended scheme has come forward to address these outstanding concerns. The final scheme is similar in form to the previous proposal with the same access point from Lincoln Street and gravel parking and turning area to the western side and southern front of the dwelling. Materials also still include black tiles, render to walls and red brick to the base. However, conditions are recommended by the Conservation Officer and would be attached to any approval in regard to material details, joinery and vents and flues to ensure a suitable visual finish.

The dwelling would include a south facing gable to the 1.5 storey element with a large first floor window, large glazed window and doors at ground floor and recessed front door with a timber post to the corner. To the west would be one roof light and one ground floor window. The rear roof would be hipped to the western 1.5 storey element with a roof light and ground floor window below. The lower single storey projection to the east would be hipped. To the rear, one window and door is proposed with a blank eastern elevation and two windows to the front elevation of the single storey element. The dwelling has now also been sunk into the ground to reduce the impact to the north as well as slightly reduced in form as discussed in detail below in combination with now being proposed to be 4.025m from the rear boundary. This has shifted the footprint of the dwelling away from the retained trees and their root protection areas to the front of the dwelling.

Planning Committee  
7 October 2024

Both the Conservation Officer and Arboricultural Officer raise no objection. A pre-commencement tree protection condition is recommended for any approval to ensure that these important trees within the street scene and Conservation Area are suitably protected and retained. In addition, it has been demonstrated on plans that the building itself, surface and foul water arrangements and level changes including retaining walls would not encroach on the Root Protection Areas (RPA) of the Silver Birch trees and indicative protective fence locations have been shown.

It is now considered that the design and form of the dwelling is reflective of the locality and host dwelling and is of an in keeping and acceptable design that also responds to the constraints of the site in terms of trees and neighbour impact. The plots of both the host dwelling and proposed new dwelling would be appropriate to the scale of dwellings and context of the locality with ample amenity space to each. As such, the proposal would have an acceptable relationship to the form and character of the street scene and wider locality considering the prominent corner location and position within the Conservation Area. The retention of the three mature silver birch trees and boundary hedge aids in screening the development as well as preserving the attractive verdant character of this part of Lincoln Street and the corner location at the junction. The development would therefore cause no visual harm to the Conservation Area, preserving its character and appearance.

It is important to note that, in terms of trees on site, permission has already been granted for the removal of various vegetation across the site including the rear leylandii hedge and one of the 4 birch trees to the south/east of the site. However, the beech hedge around the extent of the garden boundary and the remaining three silver birch trees standing in a line behind the boundary hedge are shown to be retained. In addition, a landscaping scheme is proposed via condition on any approval.

Overall, it is considered that the proposal is, in terms of form and character and impact on the Conservation Area, acceptable and in accordance with Policies CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policies J1, and K2 of the Neighbourhood Plan and the NPPF and National Design Guide.

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

In terms of neighbour impact considerations on this site, the previous application that was refused (for a new detached 1.5 storey dwelling orientated with east to west gables in proximity to the northern boundary) was refused for the following reason:

*“The proposed development of a new dwelling, by virtue of its size, scale and proximity to the boundary with the northern neighbouring properties, would have an unacceptably overbearing impact to the detriment of the neighbour’s amenity and enjoyment of their private garden space. The development would also present an unacceptable overshadowing impact to the rear neighbour’s garden space to the north and to the rear habitable rooms of No. 20 Glebe Avenue, the neighbouring dwelling directly to the rear of the proposal. This would be contrary to Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocation and Development Management Policies Plan 2016, Policy J1 and Policy K2 of the Hunstanton Neighbourhood Plan as well as the National Planning Policy Framework”.*

This reason for refusal forms the starting point for this application and represents what the proposed scheme within this application seeks to overcome.

As outlined above, the original single storey bungalow dwelling was considered unacceptable based on form and character, but concerns were also raised due to the

Planning Committee  
7 October 2024

relationship to the north including the proximity and bulk of the built form adjacent to the boundary.

The amended scheme was considered to partially address the many concerns. As outlined above this included a reduced footprint of the dwelling, introducing a north-south orientated 1.5 storey element to the west and introduced hipped roof elements to both a single storey side projection to the east and the rear of the 1.5 storey element to reflect the host dwelling and reduce the built form adjacent to the north boundary. This also moved the dwelling approximately 4.2m from the rear boundary (north). However, there was still concern over the impact to the rear neighbouring property in terms of overbearing and an unneighbourly impact taking into account the raised levels of the application site compared to the rear neighbours. Issues did not now however relate to overshadowing or design.

A final proposal has now been submitted. The ground level of the dwelling has now been reduced by approx. 1.1m from the garden level to the east which lowers the overall height of the dwelling within the plot compared to neighbouring plots. To the east and south of the dwelling, serving the main entrance, near the trees, would be a retaining wall as well as to the north with the dwelling set into the ground. Levels to the garden beyond this would slope up to the east of the dwelling.

In addition, the roof of the 1.5 storey element has been reduced by approx. 0.3m at both the eaves and the ridge. Approx. 0.9m has been removed from the length of the single storey element to the east end and approx. 0.225m has been removed from the width of the single storey element from the north. The roof of the single storey element has also been reduced by approx. 0.1m as a result.

To address issued raised by the Arboricultural Officer, the building has been moved approx. 0.4m to the north (with a set-back from the northern boundary of approx. 4.025m). To the north (rear) of the dwelling there would a path at approx. 1.2m in width along the rear of the dwelling at the same level with steps up to the garden level to the north and west of the site which would remain as existing. The northern boundary would have a new 1.8m fence along the entire length, on the application site side of the boundary which would not itself require planning permission as it would be considered permitted development below 2m.

Supporting street scene drawings have been prepared showing the current varying land level west to east along Lincoln Street which demonstrates a visual comparison between the current land level and the lowered land level where the dwelling would sit. A further street scene drawing highlights the difference in ridge level heights between the proposal and the northern neighbours. Plans demonstrate that the roof ridge height of the 1.5 storey element is now approx. 1.05m lower than the rear neighbour (No.20 Glebe Avenue).

Taking a proportionate view, it is now considered that the proposed dwelling would have an acceptable impact on the amenity of neighbouring dwellings.

In terms of the host dwelling, the proposal is well separated (over 6m to the boundary and then further to the dwelling itself) noting the east of the host dwelling serves as access and parking as well as the proposed dwelling being sunk into the ground and limited height at 1.5 storey to the west (approx. 6.1m in height to the ridge and 3.3m to the eaves). In addition, there is one ground floor window serving the stair case area and one roof light above again serving the stairs. This does not give rise to any unacceptable impacts in terms of overlooking.

To the south, the dwelling would be mostly screened by the existing boundary hedge and the mature silver birch trees. The neighbouring dwelling would be opposite the site across

Lincoln Street with no unacceptable impacts. To the east the dwelling would be set away from the boundary with the A149 beyond.

To the north, the dwelling is now proposed to be set approx. 4.025m from the rear boundary. In addition, according to levels on plan, the change in levels adjacent to the northern boundary to the lowered level of the proposed dwelling would be approx. 0.86m. This is considered in combination with the single storey element to the east as well as the 1.5 storey element to the west with the rear hipped roof not extending over half of the rear boundary of the north neighbour (number 20). This substantially reduces impact to this neighbouring property and limits the overbearing presence of the dwelling on this boundary despite the dwelling being adjacent to the rear boundary of the neighbour. Considering the reduced height and levels as well as the separation in addition to the further separation to the neighbouring dwelling from the boundary is important. In addition, an approx. 1.8m fence would be installed on this boundary on the application site side which would provide an element of screening and would be permitted development, not requiring planning permission.

The proposal would have two rear windows and one door to the northern elevation at ground floor. These would be partially screened due to the dropped levels and retaining wall as outlined. In addition, there would be further screening due to the proposed 1.8m close board fence to the boundary to the north. At first floor, there would be one rear facing roof light serving the en-suite. This would be conditioned to be obscure glazed.

Based on the above assessment, it is therefore considered that the proposed development would have an acceptable impact on neighbour amenity and would be in accordance with policies CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy J1 and K2 of the Hunstanton Neighbourhood Plan and the NPPF.

### **Highway Safety:**

NCC Highways originally raised concerns over the siting of entrance gates, sought confirmation that parking spaces measure 2.5m x 5m, and that plans demonstrate the provision of an EV charging point.

Plans have been updated to remove entrance gates, demonstrate that spaces are the required size and added the provision of an EV charging point. Therefore, it is considered that these issues have been adequately addressed.

Parking consists of 2 spaces which is in accordance with parking standards for a three-bedroom dwelling. In addition, the parking area will be gravel and therefore permeable and would be partially screened by existing mature hedges from Lincoln Street. This would accord with Policies K4 and K5 of the Hunstanton Neighbourhood Plan as well as DM17 of the Site Allocations and Development Management Policies Plan 2016.

NCC Highways now raise no objection. Conditions are recommended that would be attached to any approval regarding the parking and turning area, specification of the access, control of permitted development in relation to bollards/chains or any other obstruction as well as an informative regarding works within a public highway.

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

Planning Committee  
7 October 2024

### **Flood Risk and Drainage:**

The application site is located within Flood Zone 1, the area with lowest risk of flooding. In addition, mapping shows that the site is not at risk of surface water flooding.

The amended site plan demonstrates both surface water drainage to a soakaway as well as connections to the mains for foul drainage.

### **Biodiversity Net Gain:**

This application was submitted prior to Biodiversity Net Gain becoming mandatory for small sites in April 2024 and is therefore exempt.

Neighbourhood Plan Policy J2 - Natural Environment does however require a net gain – the amount is not specified, and it is therefore considered that this requirement can be included in a landscaping plan condition which should demonstrate a measurable net gain.

### **Removal of Permitted Development Rights:**

Permitted development rights regarding the enlargement, improvement or other alteration to the dwelling house and additions to the roof of a dwellinghouse as well as buildings incidental to the enjoyment of a dwellinghouse are removed via condition so that the Local Planning Authority may retain control of development in the interests of neighbour amenity impacts and the visual amenities of the locality and Conservation Area.

### **Third Party Objections:**

Issues relating to the principle of the development (including the neighbourhood plan), biodiversity, form and character including impact on the Conservation Area and impact on neighbour amenity have been addressed within the above report. In terms of right to light, this is a civil matter outside of the scope of this report, overshadowing and impact on amenity have however been considered as outlined above. It is not considered that any noise or associated domestic impacts as a result of a new residential dwelling would create amenity issues over and above the existing residential use of the site. Excessive noise or nuisance such as smells or pests would be outside of the scope of this planning application and may be a statutory nuisance covered by separate legislation.

In terms of the sewerage system in the area, plans show that the dwelling would be connected to the mains and for this scale of development, no further information is considered necessary. In addition, Anglian Water mapping does not show any sewer directly under the proposed location of the dwelling.

Contamination on the site has been considered and the Environmental Quality Team have raised no objection based on information submitted as well as their own assessment based on the previous water tower/reservoir etc on site. A condition has been requested and would be attached to any approval in regard to any unexpected contamination found during construction.

In terms of dark skies, as the dwelling is located on an existing residential street within the built-up area of Hunstanton, it is not considered that the proposal would have a harmful impact in this regard.

## CONCLUSION:

Overall, it is considered that the proposed development of a new dwelling, in its final amended form, would have an acceptable visual impact. Materials would mirror the host dwelling and, with mature silver birch trees and boundary hedging retained, the street scene impact would be acceptable as would the wider impact on the Conservation Area.

In addition, it is also considered that the proposal has, now amended, overcome concerns regarding the impact to the north neighbouring property based on the reduced levels and height of the dwelling in combination with the separation and form of the proposed dwelling. All other considerations are considered acceptable as outlined in the above report.

The development would therefore be in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 and DM17 of the Site Allocation and Development Management Policies Plan 2016 as well as Policy J1, J2, K1, K2, K4 and K5 of the Hunstanton Neighbourhood Plan and the National Planning Policy Framework and National Design Guide.

## 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:
  - PROPOSED FLOOR PLANS ELEVATIONS SITE AND LOCATION PLAN, Drawing Number: 674-01 Rev: E
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted, 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. In accordance with Policy J2 Natural Environment of the Hunstanton Neighbourhood Plan this should clearly demonstrate a measurable net gain for biodiversity on site compared to the predevelopment site conditions.

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.

Planning Committee  
7 October 2024

- 3 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality and provides a net gain for biodiversity in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016, Policy as well as Policy J1, J2 and K2 of the Hunstanton Neighbourhood Plan and the NPPF.
- 4 Condition: No work or other operations development shall take place on site until a scheme for the protection of the retained trees including Arboricultural Method Statements and a Tree Protection Plan or Plans (section 5.5, BS 5837:2012) has been agreed in writing with the Local Planning Authority.

This scheme shall include:

- a, Site layout plans to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and root protection area (section 4.6 of BS5837:2012) of every retained tree on site, superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.
- b, the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g. groundwork, construction, hard landscaping). Barrier and ground protection offsets must be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection.
- c, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.
- d, the arboricultural method statement/s (BS5837:2012 part 6.1) shall include details for the installation of any temporary ground protection, excavations, or other method for the installation of any hard structures or underground services within the minimum root protection areas of any retained tree.

The Tree Protection Barriers and ground protection must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase. All tree protection works shall be carried out in complete accordance with the approved details.

- 4 Reason: To ensure the existing trees within the Hunstanton Conservation Area are suitably protected throughout the construction phases of the development hereby approved in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016, Policy as well as Policy J1, J2 and K2 of the Hunstanton Neighbourhood Plan and the NPPF.

- 5 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 5 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 the NPPF.
6. Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used 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.
- 6 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy K2 of the Hunstanton Neighbourhood Plan.
- 7 Condition: No development over or above foundations shall take place on site until 1:20 drawings of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. The plans shall include joinery details, cross sections and the opening arrangements as well as window style, reveal, cill and header treatment. The development shall be implemented in accordance with the approved details.
- 7 Reason: To ensure a satisfactory external appearance in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy K2 of the Hunstanton Neighbourhood Plan.
- 8 Condition: Prior to the first occupation of the development hereby permitted the vehicular/pedestrian/cyclist access/crossing over the footway shall be constructed in accordance with the highways specification (TRAD 1) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 8 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 9 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.

- 9 Reason: In the interests of highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 10 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking/turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 11 Condition: Before the first occupation of the building hereby permitted the roof light at first floor to the northern rear roof slope shall be fitted with obscured glazing and any part of the roof light that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The roof light shall be permanently retained in that condition thereafter.
- 11 Reason: To protect the residential amenities of the occupiers of nearby property in accordance with Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Polices Plan 2016 as well as Policies J1 and K2 of the Neighbourhood Plan and the NPPF.
- 12 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house, additions to the roof of the dwellinghouse and buildings incidental to the enjoyment of the dwellinghouse shall not be allowed without the granting of specific planning permission.
- 12 Reason: To protect the residential amenities of the occupiers of nearby property as well as the visual amenities of the locality and Conservation Area in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Polices Plan 2016 as well as Policies J1 and K2 of the Neighbourhood Plan and the NPPF.