

TRUNCH – PF/23/1531 - Erection of single-storey extension; raising of roof and insertion of rear dormer window with balcony to create habitable roof space.

Minor Development

Target Date: 12th September 2023

Extension of Time: 21st October 2023

Case Officer: Mr H Gray

Householder Planning Permission

RELEVANT SITE CONSTRAINTS

The application site is within the Countryside in policy terms

The application site is within the Norfolk Coast Area of Outstanding Natural Beauty

RELEVANT PLANNING HISTORY

PF/23/0318

Erection of single-storey extension; raising of roof and insertion of rear dormer window with associated Juliette balcony to create habitable roof space.

Approved – 14.06.2023

HR/81/1760

Proposed dwelling and garage

Approved – 26.11.1981

THE APPLICATION

This application seeks permission to erect a single-storey rear extension, raise the existing roof and insert a dormer window to create habitable roof space with associated balcony.

REASONS FOR REFERRAL TO COMMITTEE

This application has been referred to the Development Committee at the request of Councillor Heinrich in light of concerns about the impact of the proposal on residential amenity.

REPRESENTATIONS

Four letters of **objection** (from two separate households) received as summarised below:

- Impact upon residential amenities regarding loss of privacy, overbearing effects, and overlooking effects
- Adverse visual impacts
- Previous applications for balconies within the area have not been supported

CONSULTATIONS

Trunch Parish Council: Objection

Mundesley Parish Council: Objection

Landscape: Comments from PF/23/0318 remain relevant and as such have been re-used for this application. These state no objection subject to the imposition of ecological mitigation measures.

HUMAN RIGHTS IMPLICATIONS

Art. 8: The right to respect for private and family life.

Art. 1 of the First Protocol: The right to peaceful enjoyment of possessions

Having considered the above matters, the recommendation to approve this application is considered to be justified, proportionate and in accordance with planning law

CRIME AND DISORDER ACT 1998 - CHAPTER 17

The application raises no significant crime and disorder issues.

LOCAL FINANCE CONSIDERATIONS

Under Chapter 70(2) of the Town and Country Planning Act 1990 the council is required when determining planning applications to have regard to any local finance considerations, so far as material to the application. Local finance considerations are not considered to be material to this case.

STANDING DUTIES

Due regard has been given to the following duties: Environment Act 2021 Equality Act 2010 Crime and Disorder Act, 1998 (S17) Natural Environment & Rural Communities Act 2006 (S40) The Conservation of Habitats and Species Regulations 2017 (R9) Planning Act 2008 (S183) Human Rights Act 1998 – this incorporates the rights of the European Convention on Human Rights into UK Law - Article 8 – Right to Respect for Private and Family Life Planning (Listed Buildings and Conservation Areas) Act 1990 (S66(1) and S72)

RELEVANT POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1 (Spatial Strategy for North Norfolk)

Policy SS 2 (Development in the Countryside)

Policy HO 8 (House Extensions and Replacement Dwellings in the Countryside)

Policy EN 1 (Norfolk Coast Area of Outstanding Natural Beauty and The Broads)

Policy EN 4 (Design)

Policy EN 9 (Biodiversity & Geology)

Policy CT 5 (The Transport Impact of New Development)

Policy CT 6 (Parking Provision)

National Planning Policy Framework (September 2023):

Chapter 2 (Achieving sustainable development)

Chapter 4 (Decision-making)

Chapter 9 (Promoting sustainable transport)

Chapter 12 (Achieving well-designed places)

Chapter 15 (Conserving and enhancing the natural environment)

Supplementary Planning Documents and Guidance:

Design Guide Supplementary Planning Document (December 2008)

Landscape Character Assessment (SF1 Settled Farmland) (January 2021)

Norfolk Coast Area of Outstanding Natural Beauty Management Plan Strategy (2014-19)

OFFICER ASSESSMENT:

Main issues for consideration

- 1. Principle of development**
- 2. Impact on character of the area and design**
- 3. Residential amenity**
- 4. Highways and parking**
- 5. Impact on protected species**

1. Principle

The principle of extending the existing dwelling has been set out within the Officer Report relating to application PF/23/0318 which was approved under delegated powers on 14 June 2023 with four conditions. The earlier approved decision is a material consideration that carries substantial weight in the determination of this application. Given that the principle of the extension has been approved very recently, the focus of this report shall be on the rooftop balcony as this is the only alteration to the scheme previously approved.

Extensions to existing dwellings (including balconies) in the countryside policy area are permitted under Core Strategy Policy SS 2. Subject to the extension complying with the requirements of Policies HO 8 and EN 4, the principle of the additional balcony as part of the extensions and alteration to the existing dwelling would be acceptable in principle.

2. Impact on the character of the area and design

The application site is located within a residential section of Trunch Road and sited close to the boundary of the Norfolk Coast Area of Outstanding Natural Beauty (AONB).

The flat roof rear extension and raising of the roof was previously assessed as part of application PF/23/0318. The assessment made as part of that application remains valid.

The proposed roof top balcony would project from the rear dormer window by 3.00m and would have a width of 3.40m. A 1.80m high obscure-glazed glass balustrade would be installed on each side of the balcony with a 0.90m high clear glass balustrade along the rear, garden facing aspect.

Although this balcony would be the first permitted within the immediate area, the relatively modest scale of balcony would not give rise to any significant character or design concerns. Whilst the balustrade is somewhat contrived in form, when viewed from the side it would sit lower than the proposed dormer which, in turn, would sit lower than the proposed ridge height. Visually this would create a gradual step down from each of these aforementioned elements, preventing the balcony from appearing as an overly large incongruous element.

Only glimpsed views of the balcony would be reasonably afforded from the streetscene and so any potential impact upon the character and appearance of the surrounding area would be very limited. Given the local context, coupled with the scale and siting of the proposed development, it can be reasonably concluded that the special characteristics and qualities of the AONB would not be adversely affected.

This application would therefore be considered, on balance, to comply with Policies EN 1 and EN 4 of the Adopted North Norfolk Core Strategy.

3. Residential amenity

The proposed balcony would give additional access onto the roof top of the proposed flat roof extension to allow for additional external amenity space for a first floor bedroom. The balcony would be 3.50m from the boundary line and 7.50m from the side elevation of St. Winifreds to the west.

The previously approved scheme included a dormer window with a Juliette balcony. The nature of the sightlines afforded by the proposed balcony would be very similar to that of the previously approved scheme but the 1.80m high, obscure-glazed balustrades would act as a further visual screen that would reduce direct views towards the amenity space of the immediately adjacent neighbouring properties. With this glazing in place, it can be concluded that a significantly detrimental impact resulting from overlooking would not occur. A planning condition securing the obscure glazing is required to ensure that adverse impacts are avoided.

The obscure-glazed glass for the balcony would add an increased sense of verticality to the rear extension which, in turn, would lead to an increase in overbearing and overshadowing effects. However, due to the location of the balcony within the site and its distance from neighbouring properties, Officers consider that this would not create a significantly detrimental increase in these effects.

Due to the elevated position of the balcony it is likely that sound created by its use would carry further than that of those created at ground level. However, due to the size of the balcony proposed it is considered unlikely that the sound generated would be significantly different than the sound generated by the use of a garden patio. Any increase in noise and disturbance created would be seen as a marginal increase over the potential current levels and would therefore not be considered to constitute a significantly detrimental increase in this regard.

The development would therefore, on balance, be compliant with the aims of Policy EN 4 of the Adopted North Norfolk Core Strategy as well as Chapters 12 and 15 of the NPPF in respect of protecting residential amenity.

4. Highways and parking

The proposal would not increase the number of required vehicle parking spaces as detailed within the Parking Standards and would not give rise to any highways or parking concerns. As such, the development is considered to be in accordance with Policies CT 5 and CT 6 of the adopted North Norfolk Core Strategy.

5. Impact upon protected species

The details and requirements set out within the previous permission, PF/23/0318, would still be relevant and would still need to be complied with. It is deemed that the proposal would not lead to an increased impact upon protected species over the previously approved scheme. Subject to conditions, the proposal would comply with Policy EN 9.

Conclusion

Whilst the concerns from adjacent residents in relation to overlooking are acknowledged, Officers consider that the proposal would, on balance, be broadly consistent with the aims of Policies SS 2, HO 8 and EN 4.

Subject to the conditions noted above and listed below, the proposal is considered to be in accordance with the requirements of the Development Plan. There are no material considerations that indicate the application should be determined otherwise.

RECOMMENDATION:

APPROVAL subject to conditions

1. The development hereby permitted shall begin no later than 3 years from the date of this decision.

Reason for Condition: As required to be imposed by Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents, except as may be required by specific condition(s):
 - Existing Drawing; Drwg. No. EX01; dated 23rd November 2022; received 17th July 2023
 - Planning Drawing; Drwg. No. PL01 Rev F; dated 14th September 2023; received 14th September 2023

Reason for Condition: To ensure the development is carried out in accordance with the expressed intentions of the application and to ensure the satisfactory development of the site, in accordance with Policies EN 4 of the adopted North Norfolk Core Strategy.

3. The materials to be used on the external surfaces of the development hereby permitted shall be constructed in accordance with the details submitted in the application and listed on the application form.

Reason for Condition: For the avoidance of doubt and to accord with the expressed intentions of the applicant, in the interests of the visual amenities of the area to ensure the acceptable appearance of the extended building in accordance with Policies EN 4 of the adopted North Norfolk Core Strategy and Chapter 10 of the North Norfolk Design Guide.

4. The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in the Biodiversity Gain section of the Preliminary Bat Roost Assessment, produced by Icen Ecology Ltd, dated March 2023, and the approved plans. The mitigation and enhancement measures shall include the provision of:

- a) at least 1 internal bat box,

The mitigation and enhancement measures shall be carried out in accordance with the approved details and thereafter retained in a suitable condition to serve the intended purpose.

Reason for Condition: In accordance with the requirements of Policy EN 9 of the adopted North Norfolk Core Strategy and paragraph 174 of the National Planning Policy Framework, and for the undertaking of the council's statutory function under the Natural Environment and Rural Communities Act (2006).

- 5. The balustrades on the east and west side elevations of the development hereby permitted shall be 1.8m in height (as measured from finished balcony level) and shall be installed with obscured glazing with a degree of obscurity equivalent to Pilkington level 4. The glazing shall be installed prior to first use of the balcony and thereafter be retained in accordance with these approved details.

Reason for Condition: To prevent undue loss of privacy to the adjacent properties, in accordance with Policy EN 4 of the adopted North Norfolk Core Strategy.

INFORMATIVE(S):

- 1. The Local Planning Authority considers that it has worked positively and proactively with the applicant to address any arising issues in relation to determining this planning application, to secure a policy compliant proposal that has been determined in the wider public interest at the earliest reasonable opportunity, in accordance with the requirements of the National Planning Policy Framework (paragraph 38).

Final wording of conditions to be delegated to the Assistant Director – Planning