

**SHERINGHAM – PF/23/1172 - Demolition of existing dwellinghouse and construction of a replacement dwellinghouse at 68 Cliff Road, Sheringham, NR26 8BJ**

**Minor Development**

**Target Date:** 28 July 2023

**Extension of time:** TBC

**Case Officer:** Darryl Watson

**Full Planning Permission**

**RELEVANT SITE CONSTRAINTS**

Agricultural Land Classification - Urban

Areas Susceptible to Groundwater SFRA

Adjacent to Undeveloped Coast

Landscape Character Assessment - Type: CS1 (Coastal Shelf)

Residential Area LDF

Settlement Boundary LDF

Mineral Safeguarding Area

Within the Zone of Influence of multiple habitats sites for the purposes of the Norfolk GIRAMS

**RELEVANT PLANNING HISTORY**

EF/23/1788: Certificate of lawful development for proposed erection of two storey dwelling following implementation of planning permission PF/20/1751 dated 17/12/2020 - Permission not required - Lawful

PF/20/1751: Two storey detached dwellinghouse - Approved

PF/17/1813: Erection of two-storey detached dwelling - Approved

CDA/17/1813: Discharge of Conditions 4 (sectional drawings), 5 (biodiversity details), 7 (surface water drainage) of planning permission PF 17/1813 – Details approved

**THE APPLICATION**

Proposes that the existing dwelling would be demolished and replaced by a primarily two storey dwelling with a narrow single storey section on its southwest side. The building would have a wider and longer footprint than that of the existing which would necessitate cutting back the bank on the southeast and south sides of the site, with stone filled gabion baskets proposed to retain it. The front elevation would be sited slightly further forward (approximately 2.2m) than the existing dwelling. The outdoor amenity area would be to the front (northwest side) of the dwelling, comprising a decked area with outdoor in-ground pool adjoining the dwelling, with the area next to the front boundary a simple lawned area.

The dwelling would be a contemporary box design with the front elevation comprising large areas of glazing (sliding doors/windows) framed by masonry with a brick and flint horizontal strip between the ground and first floor. The first floor glazing would be set back behind a covered balcony. External walls of the two storey section would be finished in render with those of the single storey section finished in red brick. The building would have a virtually flat

roof concealed by parapets, with a Sedum 'green roof' finish with PV panels set at a shallow angle mounted centrally on it.

Pedestrian and vehicle access arrangements would be as existing, with 3 parking spaces in total (2 surface spaces and 1 within the garage block).

Since the application was first submitted, amendments have been made in response to officer comments. These include:

- Confirmation of the render finish colour (to be silver pearl or equivalent)
- Omission of the posts and glass infill to the front (north-western) boundary and replaced by Holm Oak instant hedging 1.5m high
- Roof finish to be a sedum blanket extensive green roof system
- Positions of the proposed fixed external light fittings confirmed on the site plan
- Existing stepped brick wall along part of the front boundary to be retained
- Revision to the retaining wall/gabions layout to further omit the gabions beyond the proposed end of the decking area which also includes the omission of the fire pit
- Revision to the fenestration to the south-eastern (rear) elevation
- Submission of an arboricultural report which in summary, confirms the existing hedges to both the south-east and north-eastern boundaries would not be affected by the construction of the retaining/gabion walls such that they can be retained in their entirety.
- Revision to the proposed dwelling floor plans, elevations to ensure that the proposed two-storey element of the dwelling is 8.5 metres from the side facing wall of no. 64/66 Cliff Road

#### **REASONS FOR REFERRAL TO COMMITTEE:**

At the request of Cllr Withington for the following reasons:

*"This has been a very controversial application in the local area and also for the Town Council. The areas of concern cover the following points*

- *The modern and square design is felt to be out of character with the area, which although has a number of different styles residents feel these are all characteristic of Sheringham unlike the proposal*
- *In regard to this its location on the furthest eastern boundary of and entrance to Sheringham has resulted in concerns that this design will be detrimental to visual entry into the town*
- *Although not in the AONB the proposed application is part of the popular climb up to Beeston Hill (Bump) and is perceived by many of those concerned as impacting detrimentally on this area which has outstanding views and leads in to the AONB.*
- *There are also concerns in regard to the route to the Coastal Path and AONB which requires the bank to be undercut to accommodate the proposed design. As a result there are concerns about potential damage to the path as a result of the bank being undermined and also the appearance and drainage issues.*
- *The massing of this development is also of concern along with the overlooking of properties to the rear who despite being on Nelson Road feel they are impacted negatively by this proposed development.*
- *Environmental concerns have also been raised in regard to the demolition of this relatively*

*modern building with its carbon footprint and material waste. The new construction will unnecessarily add to the carbon footprint of the area unnecessarily”.*

## **REPRESENTATIONS:**

Six received from five nearby addresses raising **objections** on the following summarised grounds:

### Effect on the character and appearance of the area

- Proposed building would be out of keeping with, and totally dominate, the area.
- Stark appearance with unsympathetic design and materials
- Scale, height and mass would be substantially larger than that of the existing dwelling
- Footprint almost three times that of the existing dwelling
- Overdevelopment and prominent ‘block’ design is unattractive and out of character for the area
- Whilst the height of the proposed building would be similar to that of the ridge height of the existing dwelling, the flat roof design would mean the entire building would be at this height, thus significantly increasing the mass of the development
- Adverse impact on the landscape from the coastal path and Beeston Bump which is an AONB. No other examples of this style of architecture in Sheringham for miles around so it will stick out like a sore thumb
- Dwelling and associated landscaping is contrary to NPPF as it does not reflect the character of the AONB

### Effect on living conditions

- Overbearing impact on neighbouring properties
- Would dominate adjacent dwellings due to bulk and mass, and would be overbearing
- Noise and disturbance from more occupants
- Flat roof could be used for social activities and gatherings
- Overlooking of 3 Nelson Road due to large windows at first floor in rear elevation affecting privacy particularly if hedge is removed or reduced in height
- Demolition and construction works would be disruptive to guests of nearby B&B. Request that noisy work is not carried out early morning and given the lack of turning the developer should liaise with neighbouring owners about turning in their driveway
- Terrace / outdoor entertaining space with outdoor kitchen, pool etc. has potential to cause noise and disturbance in the evening which would affect neighbours. First floor terrace will encourage people to gather also resulting in noise and disturbance

### Effect on protected species and biodiversity

- Site has been stripped of its vegetation with substantial clearance in October 2022
- Site is ecologically sensitive with wildlife on and around it
- Land that surrounds and encompasses the site has been left for at least 5 years and allowed to develop into a dense habitat of grasses and shrubs. It provides a rich biodiversity and bats, deer and common lizards have been sighted
- Applicant has had negligible regard to matters of wildlife habitat and biodiversity
- Proposed glass panels to the front boundary would restrict movement for wildlife and would be unsightly

### Drainage

- Drainage system which serves nos. 64, 66 and 68 Cliff Road was not designed for dwelling of the size proposed, with concerns that the development would overload it
- Inadequate provisions to mitigate risk of surface water flooding
- Digging into the bank bordering the coastal path could undermine it and exacerbate problems of flooding during heavy rain. An increase in hard surfacing would also add to this.

#### Other issues raised

- Proximity of fire pit to coastal path is a fire risk
- Proposed materials are not suitable for an exposed coastal location, so will corrode and fail
- Nothing wrong with the existing dwelling, demolition is unnecessary and would create waste undermining national policy aim of net zero
- Planning statement is incorrect in stating that there are no heritage assets in the locality as the coast and coastal path are heritage assets and the coast is an AONB. Natural England and the Norfolk Coast Partnership should be invited to comment
- Lack of communication with owner of adjacent property
- Siting of large structure close to cliff edge has potential to exacerbate slope instability problems which was an issue raised by the Coastal Management Team in respect of a recent application at Vincent Road nearby
- Inaccuracies on planning application form

#### **CONSULTATIONS:**

**Landscape (NNDC) - No objection** with regards to biodiversity and advise that a protected species survey is not required. With regards to landscape impacts, suggested a number of amendments that could be made to improve the proposals in this respect, which have subsequently been incorporated in the amended plans received.

**County Council Highways - No objection** with condition requiring on-site parking to be provided in accordance with the details submitted and retained thereafter.

**Sheringham Town Council - Object** due to concerns regarding drainage and, the impact the proposed building would have on the surrounding area as the design is not in keeping with neighbouring properties

#### **HUMAN RIGHTS IMPLICATIONS**

It is considered that the proposed development may raise issues relevant to

Article 8: The Right to respect for private and family life.

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

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, approval of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

#### **CRIME AND DISORDER ACT 1998 - SECTION 17**

The application raises no significant crime and disorder issues.

## **LOCAL FINANCE CONSIDERATIONS**

Under Section 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.

## **RELEVANT POLICIES:**

### **North Norfolk Core Strategy**

SS 1 - Spatial Strategy for North Norfolk  
SS 3 - Housing  
SS 12 - Sheringham  
EN 2 - Protection and enhancement of landscape and settlement character  
EN 4 - Design  
EN 6 - Sustainable Construction and Energy Efficiency  
EN 9 - Biodiversity and geology  
CT 5 - The transport impact of new development  
CT 6 - Parking provision

### **National Planning Policy Framework (NPPF):**

Chapter 2 – Achieving sustainable development  
Chapter 4 – Decision-making  
Chapter 12 - Achieving well-designed places  
Chapter 15 - Conserving and enhancing the natural environment

### **Supplementary Planning Documents**

North Norfolk Design Guide SPD (2008)

North Norfolk Landscape Character Assessment SPD (2021)

## **OFFICER ASSESSMENT**

### **Site description**

The site is located at the eastern end of Cliff Road where it terminates as an unmade track serving a number of properties including no. 68. It forms the edge of the developed area in this part of the town and the northeast side of the site adjoins the designated Settlement Boundary. The site is occupied by a modest dwelling with two floors, the first being within the roof space. The dwelling is sited on the rear (southeast) part of the site with a garden area to the front extending up the front boundary of the site. It has no particular value in architectural or townscape terms. Currently the dwelling is unoccupied.

The northeast and south sides of the site are steeply banked rising up to about 4m higher than the ground level of the dwelling and topped by hedges. The banks are covered by a mix of vegetation including Ivy and appear to be largely unmanaged. A block of three garages are

adjacent to the front section of southwest boundary one of which is allocated to the dwelling, with the others serving the neighbouring property at 64 and 66 Cliff Road. Access to them is via a shared driveway and turning area which also provides access to a surface parking area serving the dwelling and a pedestrian access to the dwelling.

The Beeston Hills Putting Green is to the north of the site on the opposite side of Cliff Road. To the east is open land (Beeston Regis Hills) which rises towards Beeston Bump. The southwest side of the site is adjacent to nos. 64 and 66 Cliff Road, which comprise a dwelling and holiday let. The southeast side adjoins part of the rear garden to Ashbourne House which is a B&B at 1 Nelson Road. The immediate surrounding area is characterised by mix of dwellings, including flats, and holiday accommodation / B&Bs, with buildings of a mix of ages and styles. The closest properties, 64/66 Cliff Road and Camberley House (62 Cliff Road) and block of flats at Victoria Court are of a relatively large domestic scale.

The Norfolk Coast Path runs up from the sea front/promenade and adjacent to the front boundary of the site and wraps around its north east corner before turning east towards Beeston Bump.

#### **Main issues for consideration:**

- 1. Whether the proposed development is acceptable in principle**
- 2. The effect on the character and appearance of the area**
- 3. The effect on the living conditions of the occupiers of neighbouring dwellings**
- 4. Whether the proposed development would result in harm to protected species**
- 5. The effect on highway safety**

#### **1. Principle**

The site is within Sheringham's Settlement Boundary and within a designated Residential Area where Policy SS 3 indicates appropriate residential development will be permitted. The proposed replacement dwelling raises no issues in terms of principle of development. The proposal therefore complies with Core Strategy policies SS 1, SS 3 and SS 12. To be acceptable overall however, the proposal must also comply with all other relevant Core Strategy policies unless material considerations indicate otherwise.

#### **2. Character and appearance**

Despite comments in the representations to the contrary, the site is not within the Norfolk Coast AONB, the boundary of which is approximately 1km away to the south and west. Nevertheless, the effect of the proposed development on the character and appearance of the surrounding area is still an important consideration. Significant weight also has to be attached to the extant planning permission PF/20/1751 for the erection of a two storey dwelling to the (front) north of the existing dwelling.

The footprint of the proposed dwelling would be larger than that of the approved dwelling, however, the plot coverage would only be approximately 39 sq.m greater than the combined footprint of both the existing and approved dwelling, if the latter was to be built. The roof of

the proposed dwelling would be slightly lower than the ridge height of the existing dwelling and about 0.6m higher than the approved dwelling. Because it would sit back into the site with its front elevation only slightly further forward (about 2.2m) than that of the existing dwelling, it is considered that the proposed dwelling would have less impact than the combination of two dwellings on the site, which in any event was considered to be acceptable in this respect. Whilst the overall massing would be greater than that of the existing dwelling, it is considered it would be satisfactorily contained by the steep slope and height of the northeast and southeast boundaries of the site and would sit comfortably next to the dwelling to the west which has a similar mass but with a higher pyramidal roof with a ridge approximately 3.5m higher than the roof of the proposed dwelling.

The site is visible from the coastal path and the elevated stretch to the east of the site gives extensive views of the south and west of the town with a rural landscape beyond and, the coastline. As the dwelling would be set back into the site, it is considered there would be no harmful effect views of the coast from the path where it turns to wrap around the north east corner of the site before joining Cliff Road. Holm Oak 'instant hedge' would now be used along the front boundary instead of the glass panels originally proposed which is considered to be more appropriate for the site's location.

From slightly further east where the path is more elevated, there would be views of the upper section and roof of the proposed dwelling partially obscured by the existing boundary hedge as is the case with the current dwelling, with the noticeably higher roof of the dwelling to the west sitting immediately behind in this view and part of the roof of Camberley House sitting slightly further forwards. In the longer views from the east, it is considered that intervening landscape features would generally limit views of the upper section of the proposed dwelling and that where it is seen, it would merge into the roofscape of this part of the town. The 'green' Sedum roof covering would also soften the appearance of the roof. Overall it is considered there would be no material harm in this respect.

With regards to the appearance of the proposed dwelling, whilst it is acknowledged that its contemporary form and style differs from the immediately adjacent buildings, the area generally contains a mix of buildings in terms of age and style, with no prevailing character. As the dwelling that could be built on the front part of the site is also contemporary in style with a boxy form, this type of design approach has been established in principle. Furthermore, in the views from the east in particular, the proposed building would be seen in the context of the large 3 storey white building at 1-9 Sea Cliff off Vincent Road.

For the reasons stated, it is considered that the proposed development would not have an unacceptable effect on the character and appearance of the surrounding area. It therefore complies with policies EN 2 and EN 4.

### **3. Living conditions**

The closest dwelling to the site is Beeston Hills Lodge (64 & 66 Cliff Road) which occupies the adjacent plot to the southwest. The rear part of the property is a holiday let known as Cliff Cottage. The side elevation of these properties runs adjacent to the common boundary set back approximately 3.8 metres from it. Within this elevation there are windows at ground and first floor serving habitable rooms (bedrooms and a study). There is a blockwork wall of varying height and a timber fence along the common boundary. No windows are proposed in

the side elevation of the proposed dwelling facing 64 and 66 Cliff Road, with the closest part being single storey set on the same line as the side elevation of the existing dwelling.

This side elevation would however, be approximately 3 metres longer than that of the existing dwelling, extending further back into the site. As a result, it would face a ground floor window in the side elevation of no. 66 which serves a bathroom which is a non-habitable room. The side elevation would face two further first windows in the side elevation of no. 66 which serve bedrooms and currently have a limited outlook over the rear of the application site. These bedrooms are also served by other windows in the south and west elevations. The main two storey side elevation of the proposed dwelling would however, be set back 3.7 metres from the line of the side elevation of the single storey section such that there would be a separation distance of 8.5 metres between it and the facing windows in the side of no. 66 Cliff Road. This complies with the amenity criteria in the North Norfolk Design Guide in terms of separation between a secondary window and blank elevation.

The two storey section of the proposed dwelling would be approximately 0.4m lower than the ridge of the existing dwelling and would sit on a similar line. As the roof of the existing dwelling rises up from the side elevation which is set back approximately 1m from the common boundary, whereas the two storey section of the dwelling is set back as described above, it is considered the proposed development would have no greater overbearing or overshadowing impacts than the existing relationship, nor would it result in any material loss of outlook from 64 and 66 Cliff Road.

The rear boundary of the site adjoins part of the side boundary to the extensive rear garden of Ashbourne House, 1 Nelson Road which is used as a B&B. The garden rises up quite steeply to the east and in the area close to the site boundary there is a summerhouse and raised deck area along with other outdoor seating areas. The more formal area is at a lower level adjacent to rear of the property. The application site sits at a lower level and along the common boundary there is a hedge approximately 2.5m high and a low post and rail fence. There is a first floor window in the rear elevation of the existing dwelling facing the common boundary from which there would be an oblique view across part of the garden of Ashbourne House as the boundary hedge does not run to the rear of 64 Cliff Road.

It is considered that the proposed development would have no material overshadowing or overbearing impacts on the garden of Ashbourne House. With regard to overlooking, two first floor windows are proposed in the rear elevation of the proposed dwelling serving a kitchen area and study/playroom/bedroom. These windows have been reduced in size compared to what was originally proposed and it is intended to retain the hedge which can be secured through a condition. It is considered that with the hedge retained at a suitable height there would not be any unacceptable overlooking of the garden to Ashbourne House. In the event that the hedge were to die for example, it is considered that a standard 2m high fence would provide adequate screening which can be included as part of the condition. Notwithstanding this, Officers consider there would be reasonable levels of privacy given the separation distance of approximately 30m to the part of the garden to Ashbourne House, and the fact that the views would be very oblique and with other intervening vegetation.

The occupiers of 3 Nelson Road have raised concerns regarding loss of privacy and whilst views from the proposed dwelling would be more direct, the combination of screening and separation distance (approx. 29m) are such that it is considered there would be no significantly harmful privacy impacts.



Some of the representations have referred noise and disturbance from the terrace/outdoor amenity area and first floor balcony which would be to the front of the dwelling, as is the garden to the existing dwelling. The application is to replace an existing dwelling within a residential area with another dwelling and has to be considered on that basis. Whilst the proposed dwelling would have more bedrooms than the existing, there is no evidence to suggest that there would be any material difference to noise levels experienced by local residents, as it would be dependent on who occupied/used the dwelling over which there could be planning controls.

For the reasons stated it is considered that the proposed development would not result in any significantly detrimental effects to the living conditions of nearby occupiers and therefore it complies with Core Strategy policies EN 4 and EN 13.

#### **4. Protected species**

In response to the representations received, the Landscape Officer has advised that a protected species survey is not required. Representations suggest that the site had been allowed to become overgrown, but that it was subsequently cleared in October 2022, which in itself would not have required any approval in terms of planning controls as it was simply clearing a domestic garden. It is likely that this would have reduced the protected species/biodiversity value of the site.

The cutting back of the bank on the northeast and south sides of the site would necessitate works to retain it. The application plans indicate gabion basket stone filled retaining walls. It is however, unclear if any significant amount of concrete would also be required. As this is an unsustainable and polluting building material with potential for pollution events to occur during construction through its use, a condition stipulating the need for a Construction Environment Management Plan, as attached to the previous permissions (PF/17/1813 and PF/20/1751) for a dwelling, is considered to be reasonable and necessary. This would ensure that any impacts on biodiversity, including nesting birds, from further site clearance works are mitigated for in accordance with policy EN 9 of the Core Strategy.

#### **5. Highway safety**

No changes to the current access arrangements are proposed which is via a short section of unmade road off the end of Cliff Road. The highway authority consider that the proposal would not materially affect the current traffic patterns or the free flow of traffic and on that basis, have no objections. On-site parking provision proposed would comply with the current adopted standards in Appendix C of the Core Strategy. The proposed development is therefore considered to comply with Core Strategy policies CT 5 and CT 6.

#### **Other considerations**

- *Effect on habitats sites from recreational impacts* – the site is within the Zone of Influence of a number of designated habitats sites for the purposes of the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). This is a strategy agreed between the Norfolk planning authorities and Natural England which enables growth by implementing the required mitigation to address adverse effects on the

integrity of habitats sites arising from increased levels of recreational use, through growth from all qualifying development, either alone or in combination.

As the proposed development is to replace an existing dwelling, it is not qualifying development for the purposes of GIRAMS on the basis that there would be no new overnight accommodation. Whilst the dwelling would be larger in terms of having more bedrooms than the existing, the difference in terms of recreational impacts on the relevant habitats sites would not be material. As such, a contribution towards mitigation is not required and it is considered there would be no adverse effects on the integrity of the habitats sites in relation to recreational impacts. Therefore the proposed development does not conflict with the aims of the Conservation of Species Habitats Regulations 2017 (as amended) and Policy EN 9 of the Core Strategy

- *Coastal slope instability* – with regards to the application referred to in the representation (PF/22/0562 relating to a site on Vincent Road), in that case the building proposed was sited approximately 8 metres from the top of the slope, whereas the front elevation of the proposed building would be approximately 58 metres from the top of the slope, sitting only slightly forward of the line front elevation of the existing dwelling. Furthermore the dwelling which could be built under planning permission PF/23/1751 would be closer to the edge of the slope than that now proposed, but would still be approximately 43 metres back from it.

It would be necessary to cut back the existing embankments on the northeast and southeast sides of the site to accommodate the larger footprint of the proposed development. This land is not identified as having instability issues and paragraph 183 of the NPPF indicates that planning decisions should ensure that a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability. Paragraph 184 advises that responsibility for securing a safe development rests with the developer and/or landowner. In situations where there may be doubt as to the stability of land, and applicants do not submit sufficient information, planning conditions may be imposed requiring that development is not commenced before a satisfactory investigation and remedial measures are undertaken if identified as being necessary. It is therefore considered that this issue can be dealt with by a condition requiring a land stability report.

- *Drainage* – whilst concerns have been raised in this respect including whether the existing system is adequate, the proposed development would be a replacement of an existing dwelling and would be likely to have less impact than if the other dwelling was built such that there would be two dwellings on the site. Furthermore, a suitable surface water drainage scheme was approved under conditions attached to planning permission PF/17/1813 and which was included as part of the approved plans for the dwelling approved under PF/20/1751. As such it is considered suitable drainage arrangements could be provided and it is recommended these are secured through a condition.

## **Conclusion and planning balance**

The proposed development is considered to be acceptable for the reasons stated above and in compliance with relevant policies in the North Norfolk Core Strategy. It is considered the proposal would not result in any material harm to the character and appearance of the

surrounding area and the impact would be less than if the permission for the dwelling on the front part of the site was built out. There would be no harmful effects on living conditions protected species or highway safety. Concerns relating to the stability of the two banked sides of the site can be dealt with through conditions. APPROVAL is therefore recommended subject to conditions

The issues raised in letters of representation received (summarised above) following publicity and consultation carried out in accordance with the requirements of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), have been considered. They do not raise material considerations which outweigh the recommendation to approve.

#### **RECOMMENDATION:**

##### **APPROVAL subject to conditions relating to the following matters**

- Time limit for implementation
- Approved plans
- External materials
- Design details
- Surface water drainage
- Protection and retention of boundary hedges
- Construction Environment Management Plan
- Landscaping
- Boundary treatments
- Retention of outdoor amenity area to front of dwelling
- Land stability report and remedial measures if identified as being necessary
- Parking

**Final wording of conditions and any others considered necessary to be delegated to the Assistant Director – Planning**