

**SUFFIELD PARK – PF/24/1924 - Demolition of detached garage; single storey front & rear extensions; alterations to fenestration and external materials, new PV panels, formation of retaining walls to improve on-site parking, replacement of boundary fence with rendered wall, relocation of rear pedestrian access and formation of two raised flower beds at 5 Cliff Drive, Cromer.**

**Minor Development**

**Target Date:** 15<sup>th</sup> November 2024

**Extension of Time:** N/A

**Case Officer:** Mr H Gray

**Householder Planning Permission**

**RELEVANT SITE CONSTRAINTS**

The application site is within the Cromer Settlement Boundary

The application site is within the Cromer Residential Area

The application site is adjacent the Undeveloped Coast designated area

**RELEVANT PLANNING HISTORY**

Reference **PF/24/1173**

Description Demolition of detached garage; two storey front and single-storey rear extensions; alterations to fenestration and external materials; new PV panels; formation of retaining walls to improve on-site parking

Decision Application Withdrawn – 17.07.2024

**THE APPLICATION**

This application seeks permission to demolish the existing detached garage, erect single storey front, lean-to front extension, erect a single-storey rear extension with a first-floor balcony, carry out fenestration alterations, alter the external materials, install new PV panels, instate retaining walls to improve on-site parking, replace boundary fence with rendered wall, relocate the rear pedestrian access, and create two raised flower beds.

**REASONS FOR REFERRAL TO COMMITTEE**

The item was called into Committee by Cllr Emma J Spagnola – as ward member for the site. The item was called in on 30<sup>th</sup> October 2024 and the grounds for call-in are:

“I believe this would amount to over development of site and have an unacceptable and detrimental impact on the residential amenities of the neighbours”.

**REPRESENTATIONS**

Twelve representations of objection were received for this application which raised the following material planning considerations:

- Overdevelopment
- Design
- Residential amenity
- Light spill
- Parking
- Cliff and cliff path stability

## **CONSULTATIONS**

**Cromer Town Council: Object** for the following reasons: overdevelopment, loss of light, loss of privacy, and the development is out of character.

**Coastal Management NNDC: No Objection**, subject to conditions regarding surface water run-off

## **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 (September 2008):**

Policy SS 1 (Spatial Strategy for North Norfolk)

Policy SS 7 (Cromer)

Policy EN 2 (Protection and Enhancement of Landscape and Settlement Character)

Policy EN 3 (Undeveloped Coast)  
Policy EN 4 (Design)  
Policy EN 7 (Renewable Energy)  
Policy EN 11 (Coastal Erosion)  
Policy EN 13 (Pollution and Hazard Prevention and Minimisation)  
Policy CT 5 (The Transport Impact of New Development)  
Policy CT 6 (Parking Provision)

Material Considerations:

**National Planning Policy Framework (December 2023):**

Chapter 2 (Achieving sustainable development)  
Chapter 4 (Decision-making)  
Chapter 9 (Promoting sustainable transport)  
Chapter 12 (Achieving well-designed and beautiful places)  
Chapter 14 (Meeting the challenge of climate change, flooding, and coastal change)  
Chapter 15 (Conserving and enhancing the natural environment)

**Supplementary Planning Documents and Guidance:**

North Norfolk Design Guide (2008)  
Landscape Character Assessment (CS1 Coastal Shelf) (January 2021)  
Coastal Adaptation Supplementary Planning Document (September 2023)

**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. Coastal erosion/cliff stability**
- 6. Pollution**
- 7. Other matters**

**1. Principle of development**

Policy SS 1 states that the majority of new development in North Norfolk will take place in the towns and larger villages whilst a smaller amount of development will be focused on designated Service and Coastal Service Villages to support rural sustainability.

Cromer is listed within this policy as a Primary Settlement. The site falls within the Settlement Policy boundary of Cromer whereby extensions to existing dwellings are acceptable in principle subject to compliance with all relevant Core Strategy Policies.

**2. Impact on the character of the area and design**

Whilst the proposed single-storey front extension appears to disrupt the existing build-line present between the host property and No.1 and No.3 to the west, when a wider context of the streetscene is taken it is evident that Cliff Drive benefits from an array of differently

designed properties, and whilst there is some level of consistency, no one prevailing character dominates. Therefore, by taking a wider, more contextualised view, it is reasonable to conclude that this element of the proposal would not be at odds with the character of the area, nor the dwelling itself. Furthermore, in isolation, it would not constitute a visually large increase to the perceived size of dwelling.

The proposed rear extension with first-floor balcony would be erected upon the northern rear wall of the dwelling, within the rear garden, and face out towards the sea. The structure would be of a flat roof design, topped with a balcony and green roof bordered by shingle, and clad in vertical timber cladding. Whilst being an irregular shape, the proposed rear extension itself does not constitute a significant extension to the dwelling, particularly when considering the size of the garage that is to be lost to facilitate this development.

In considering the cumulative impact of the proposals, the dwelling as existing has an approximate external floor area at both ground floor and first floor of 178sqm, inclusive of the garage. Whereas the proposed development would result in a floor area of approximately 249sqm. The result would be an approximate 40% increase in the total floor area of the dwelling, when also including the first-floor balcony. In terms of physical built form, the proposal would constitute a 28% increase, appropriately. On balance, Officers consider that the proposed development would not result in a significant increase in the size of the dwelling, and with the plot size sufficiently able to accommodate the scale of the development it is also not considered to be overdevelopment of the plot.

The proposed materials, including the timber cladding and zinc roof, do not give rise to any concerns in regard to design.

Ultimately, the application would be considered to comply with Policies EN 2 and EN 4 of the Adopted North Norfolk Core Strategy.

### **3. Residential amenity**

Fenestration alterations are proposed on each side of the dwelling, notably the removal of the first-floor windows on the east elevation, the insertion of rooflights, and a large amount of glazing inserted onto the north elevation. The removal of the windows on the east elevation would likely help to reduce the overall level of overlooking effects created by the dwelling.

Whilst in other circumstances the more centralised and larger concentration of glazing within the rear elevation could have the potential to significantly increase residential amenity impacts, in this instance, the windows are directed to the north and not directly towards a neighbouring dwelling or its garden. It is for this reason that it would be concluded that the level of glazing proposed here would not result in a significantly detrimental increase, especially when taken together with the proposals to remove a number of existing windows in the property..

The glazing on the rear elevation would provide access to the proposed first-floor balcony. The balcony, situated atop the rear extension and within the rear garden, has the potential to significantly increase overlooking and loss of privacy effects. However, within this proposal, privacy screening has been proposed to screen sightlines to the east and west and ultimately prevent significant overlooking to the properties that are adjacent to the site. It is these privacy screens that would ultimately lead to the conclusion that a significantly detrimental impact on residential amenity would not occur.

The development would therefore be considered 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**

As proposed, the development would increase the number of bedrooms within the property from four to five. As per Appendix C within the Adopted Core Strategy, C3 residential units with four or more bedrooms are required to have a minimum of three spaces and a maximum of four. The proposed site layout plan demonstrates the site's capacity to comfortably accommodate three vehicles. Whilst representations have raised that the dwelling has previously and could potentially be used as a holiday let or Airbnb, this application is for a householder extension to a residential dwelling and must be considered as such.

The highways access is not proposed to be altered and no impact upon the highways network is foreseen.

The development is therefore considered to be in accordance with Policies CT 5 and CT 6 of the adopted North Norfolk Core Strategy.

#### **5. Coastal erosion/cliff stability**

A number of representations raised concerns regarding the condition of the nearby cliff and whether it could support this proposal. Through discussions with the Coastal Management team, it was clarified that the proposal sits within the 'Hold the Line' policy area for the foreseeable future, as per the Shoreline Management Plan 6 (SMP6). At the base of the cliff there is an existing sea wall which will continue to be maintained in line with this policy, providing funding allows, and therefore erosion to the cliff as a result of the sea is likely to be limited.

A Coastal Engineer from within the Coastal Management team has also clarified that there is an expectation that all clifftop slopes are likely to see some erosion and limited slumping, although this location in particular has remained relatively stable for many years, with no major slips.

The proposed would introduce an approximately 50sqm structure over 12m away from the clifftop edge within the rear garden of the property. Surface water has also been shown on the site location plan to be directed into the existing foul water systems and directed away from the site, however, this shall also be secured via the imposition of conditions.

Officers consider that the proposal would comply with the aims of Policy EN 11 of the Adopted Core Strategy and the guidance contained within Chapter 14 of the NPPF.

#### **6. Pollution**

A number of representations have raised concerns regarding the potential for light pollution resulting from light spill as well as the noise pollution from the dwelling.

The proposed development would result in approximately 38.8sqm of glazing, a 24.4% increase from the approximate 31.18sqm of existing glazing. In terms of total area increase, this roughly equates to only the rooflights being additional, if averaged out. Whilst not an insignificant increase it is not considered to be such a substantial increase to result in significant light pollution. Furthermore, it has been confirmed on the plans that a VLT film shall be applied to the rooflights and the first-floor windows on the rear elevation. This would be secured via the imposition of a condition to ensure that the film allowed a visible light transmission (VLT) to an agreed amount.

Concerns raised by representations regarding potential noise pollution appear to be based upon the assumption that the dwelling will be used as a holiday let/Airbnb and shall play host to a large amount of activity. At its core, this application is for a householder extension to a residential dwelling and as such noise levels and use of the dwelling for activities that fall within a reasonable C3 use cannot be controlled by the Local Planning Authority as this would directly conflict with Art. 1 and Art 8. Of the Human Rights Act. However, should it be deemed that the dwelling is used in ways beyond that of a C3 use, then enforcement action could be taken if a material change of use has occurred. For excessive residential noise, this would be a matter for other enforcement agencies.

As such, the proposal is considered to comply with Policy EN 13 of the Adopted Core Strategy.

## **7. Other matters**

A number of representations raised concerns regarding the dwellings potential use as a holiday let/Airbnb. At this moment in time holiday lets/Airbnb's do not have their own distinct use class and therefore have the potential to fall within a C3 use so long as the way it is use is within the bounds of the C3 use class. This application itself is for a householder extension to a C3 residential property, and the Local Planning Authority have no evidence or reason to dispute this. However, should the dwelling be used in the future in a way that does not fall within a C3 use, there is a potential for enforcement action to be taken.

## **Conclusion**

The proposal would be broadly consistent with the aims of Policies SS 1, EN 2, EN 4, EN 11, and EN 13.

## **RECOMMENDATION:**

### **APPROVAL subject to conditions**

- Time limit
- Development in accordance with approved plans
- Materials as submitted
- Surface Water Drainage
- VLT Glazing (proposed rooflights on the West and East Elevations and the first-floor glazing on the North Elevation)
- Balcony Privacy Screens

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