

**BLAKENEY – PF/21/0692 - Erection of one and a half storey detached dwelling (part retrospective) at 8 Langham Road, Blakeney, NR25 7PG for Mr & Mrs Ingham**

**- Target Date: 19<sup>th</sup> May 2021**  
**Case Officer: Mrs L Starling**  
**Full Planning Permission**

**CONSTRAINTS**

LDF – Settlement Boundary  
LDF – Residential  
Area of Outstanding Natural Beauty  
Landscape Character Area  
SFRA - Areas Susceptible to Groundwater Flooding

**RELEVANT PLANNING HISTORY**

PF/20/0564 – 8 Langham Road, Blakeney - Erection of one and a half storey detached dwelling (part retrospective) – Refused 15/09/2020, Appeal Dismissed 26/02/2021

PF/19/1785 – 8 Langham Road, Blakeney - Erection of one and a half storey detached dwelling (part retrospective) - Refused 13/02/2020

PF/17/0581 - 8 Langham Road, Blakeney - Erection of single storey dwelling - Approved 10/07/2017

PF/17/0143 - 8 Langham Road, Blakeney - Erection of detached chalet bungalow - Refused 22/03/2017 Appeal Dismissed 25/08/2017

PF/16/0699 - 8 Langham Road, Blakeney - Erection of detached 4 bed chalet bungalow - Withdrawn by Applicant 13/07/2016

PLA/20071271 - Erection of detached double garage - Approved 24/09/2007

**THE APPLICATION**

Seeks full planning permission for the retention of a detached one and a half storey two bedroom dwelling (part retrospective) on a rectangular parcel of land previously forming part of the rear garden of 8 Langham Road (a detached two-storey dwelling fronting onto Langham Road). The dwelling is largely complete (albeit not constructed in full accordance with the approved plans) and occupied.

A detached double brick and pantile garage previously located on the site was demolished prior to the construction of the dwelling approved in 2017 under ref: PF/17/0581.

The site lies within an established built-up residential area, with residential dwellings situated to the north, east, south and west, with Blakeney Doctors Surgery and carpark directly to the south-east.

Now occupied as two separate properties, No. 8 remains served by an access off Langham Road, with the new vehicular access created off Queens Close used to serve the previously approved dwelling remaining under this current application (albeit the access differing in detail to that approved under the 2017 permission), with onsite parking provided to serve both properties.

Whilst this revised scheme is for a two-bedroom dwelling of the same height, scale and footprint as that approved in 2017, it differs from the approved scheme primarily in respect of changes to the fenestration. A window is proposed on the south elevation to serve a bedroom, with two obscure glazed ensuite windows at ground and first floor levels, with the remaining roofspace for use as storage. Changes are also sought to the boundary treatments, with a mixture of walls, fencing and gates.

## REASONS FOR REFERRAL TO COMMITTEE

At the request of Councillor Holliday on the grounds that the application does not comply with Policies EN1, EN 2, and EN4; the access is different from that approved and the installation of gates and pillars.

## PARISH/TOWN COUNCIL

Blakeney Parish Council – Objection on the following grounds;

- Permission was only ever granted for a single storey dwelling, i.e. a bungalow (PF/17/0581). The applicant appealed, and the appeal was recently dismissed by The Planning Inspectorate. We therefore request that the NNDC enforcement team take action to demolish the second (half) storey and return the property to a bungalow, in accordance to the plans for which permission was granted.
- Property incorrectly labelled as 8 Langham Road as now named The Hide and is in Queens Close. 8 Langham Road, is the other property on the same site.
- Dwelling does not enhance the area and Parish Council previous comments remain; the gated entrance in particular is totally out of keeping and should not be permitted, is totally inappropriate with no semblance of being in sympathy with local vernacular style or materials, indeed the stone clad gate pillars are not shown on the drawings.
- Flood lighting also considered inappropriate in an AONB and frequently on throughout the night. Lighting conditions previously suggested by Norfolk Coast Partnership should be supported and applied to both the property known as 8 Langham Road, and the new build referred to in this application, now known as The Hide, Queens Close.

## REPRESENTATIONS

None received to date.

## CONSULTATIONS

No consultations have been undertaken as part of this current application, following no objections being raised by either the Council's Landscape Team or Norfolk Coast Partnership to the previous application on the site (PF/19/1785) or by NCC Highways who were consulted as part of application PF/20/0564 in respect of the changes to the access/boundary treatments.

## 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.

#### POLICIES

##### North Norfolk Core Strategy (Adopted September 2008):

Policy SS 1: Spatial Strategy for North Norfolk

Policy SS 3: Housing

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

Policy EN 2: Protection and enhancement of landscape and settlement character

Policy EN 4: Design

Policy CT 5: The transport impact on new development

Policy CT 6: Parking provision

##### National Planning Policy Framework

Section 2: Achieving sustainable development

Section 4: Decision-making

Section 5 – Delivering a sufficient supply of homes

Section 12: Achieving well-designed places

Section 15: Conserving and enhancing the natural environment

##### North Norfolk Design Guide (SPD) Adopted 2008

#### MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Site history design, residential amenity and impact upon the Area of Outstanding Natural Beauty (AONB)
3. Highway safety

#### APPRAISAL:

##### 1. Principle (Policies SS 1S and SS 3)

The site lies within the Development Boundary for Blakeney (designated as a Coastal Service Village) in an area designated as 'residential' where the principle of a new dwelling is acceptable under Policies SS 1 and SS 3, subject to schemes satisfying a range of other policy criteria.

This site also benefits from extant planning permission for a dwelling to be constructed on the site (ref: PF/17/0581) with works substantially complete.

##### 2. Site history, design, residential amenity and impact on the Area of Outstanding Natural Beauty (AONB)

Members will note from the planning history that this site (formerly part of the garden of 8 Langham Road) has been subject of a number of planning applications over recent years for a dwelling to be constructed on it, following the demolition of a detached double garage.

Planning permission was initially sought in 2017 for the construction of a four-bedroom chalet bungalow on the site (ref: PF/17/0143), albeit of a different scale and design to the

dwelling approved under a subsequent scheme. This application was refused on the grounds of its unacceptable scale, design, overall height and massing, positioning on the plot and detrimental impact upon the residential amenities of neighbouring properties, with this decision of refusal subsequently upheld at Appeal.

Following this, an application was submitted and approved in 2017 for a single-storey two bed dwelling to be constructed on the site (Ref: PF/17/0581), of a lesser scale and differing in design and orientation on the plot. Whilst under construction, it was noted that works were not being carried out in accordance with the approved plans, resulting in a revised application being submitted in 2019 to regularize these changes (ref: PF/19/1785). This application was subsequently refused on amenity grounds.

A similar revised application was then submitted (ref: PF/20/0564) for a one and a half storey detached three-bedroom dwelling (part retrospective) of the same scale, design and footprint as that approved in 2017, but as was also the case with the application refused in 2019, included the addition of first floor windows/rooflights (following internal layout changes and installation of a staircase), to allow for first floor bedroom/bathroom accommodation. The application also included changes to some of the boundary treatments (from close-boarded fencing to walls of varying heights), the installation of gates and pillars and slight relocation of the site access.

Following refusal of this application on the grounds that the proposed development would provide poor living conditions for the future occupiers due to poor levels of natural light and outlook resulting from the limited size of the windows and rooflights serving the first floor bedrooms, contrary to Policy EN 4, this decision was subject of an Appeal. This appeal was dismissed, with the Inspector agreeing that bedroom 2 would not provide acceptable living conditions with regard to outlook and light levels. Bedroom 1 was shown at ground floor level as part of this scheme. However, he considered that the proposed scale of the opening on the south elevation would provide acceptable daylight and outlook to bedroom 3 and with the degree of separation due to the surgery car park there would not be any harmful overlooking of neighbouring dwellings or gardens. A copy of the Appeal decision has been attached as an Appendix to this report.

Therefore, notwithstanding the Parish Council objection to this latest application and the Council's previous concerns relating to the provision of first floor accommodation at this property (reflected in a condition being attached to the 2017 permission removing permitted development rights for additional windows), in light of the conclusions drawn in the Inspector's Appeal decision, and the changes made to the proposed first floor layout (creating only one bedroom and bathroom by retaining Bedroom 3 and omitting Bedroom 2), it is considered that the appeal decision must be given significant weight in the assessment of this latest application. As such, it is considered that refusal of this application on amenity grounds could not therefore be justified in this instance.

Furthermore, as was the case as part of the previous application, whilst the changes made to the boundary treatments (particularly the installation of sections of walls and gates/pillars at the access), were not considered ideal in visual terms and resulting in the site having a somewhat 'enclosed' appearance, given the context of the site (with the proposed dwelling sited to the rear of a Doctors surgery car park combined with the built character of the surrounding area, the scheme remains acceptable in design terms and would not have a significantly detrimental impact on the character of the area or significantly harmful to special qualities of the AONB.

Concerns have been raised to the use of external lighting at the site and its resulting impacts upon the area and wider AONB. Whilst no external lighting details have been provided as part of this current application, the view remains as was the case in the granting of the 2017

permission, that given the built up context of the surrounding development, it is not considered reasonable to control the installation of external lighting at this site through conditions.

It is therefore considered that the revised scheme would be acceptable in design, landscape and amenity terms and would accord with the requirements of Policies SS 3, EN 1, EN 2, EN 4 of the Core Strategy and Sections 12 and 15 of the NPPF.

### 3. Highway safety (Policies CT5 and CT6)

Notwithstanding that the access to serve the dwelling off Queens Close (an unclassified road) has been constructed in a slightly different position to that approved under the originally approved application (ref: PF/17/0581), given that NCC Highways confirmed that they raised no objections to the recent application (PF/20/0564), and subject to the imposition of conditions in respect of access and parking and turning arrangements, it is considered that the scheme would safeguard highway safety in accordance with Policies CT5 and CT6 of the Core Strategy.

### Conclusion

In conclusion, it is considered that the revised scheme is acceptable in landscape, design, highways and amenity terms, and subject the imposition of appropriate conditions, would comply with relevant Development Plan policies and the guidance set out in the National Planning Policy Framework (NPPF).

### **RECOMMENDATION:**

Approve, subject to conditions to cover the matters listed below, and any others considered necessary by the Assistant Director - Planning:

Conditions to include:

- Development to be carried out in accordance with submitted details and specifications (given part retrospective)
- Conditions as appropriate from 2017 permission including the removal of permitted development rights for additional windows and alterations.
- Highway conditions deemed necessary by NCC Highways.

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