

Application for Determination

Parish	Horning
Reference	BA/2014/0369/COND Target date 25 December 2014
Location	Silver Dawn, Woodlands Way, Horning
Proposal	Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material
Applicant	Mr Nick Barrett
Recommendation	Approve subject to conditions
Reason for referral to Committee	Third party objections

1 Description of Site and Proposals

- 1.1 The site is a dwellinghouse Silver Dawn, Woodlands Way, Horning. The development along Woodlands Way consists of single storey and storey and a half dwellings fronting the river along the western bank of the Bure to the southwest of Horning village. A replacement dwelling and new car port were permitted on the site in 2012 (BA/2012/0056/FUL) and this development is currently under construction.
- 1.2 The replacement dwelling fronts the river, it is storey and a half in scale, relatively lightweight and contemporary in design and the car port at the rear of the site is of a similar design and matching materials. During consideration of that application it was confirmed the dwelling would have painted timber clad walls and a pre-weathered standing seam zinc roof, a sample of which was submitted and seen by Members when determining the application. Condition 3 of the permission that was granted required precise details of the external materials to be agreed prior to commencement. When it came to discharging that condition it was confirmed that the roof covering would be pre-weathered zinc in accordance with the sample previously submitted during the application process and accordingly the condition was discharged in July 2013.
- 1.3 It became apparent when the roof covering was being installed in summer 2014 that this was not in accordance with the agreed material. This application seeks to regularise that situation and retain the roof material as completed.

- 1.4 The material proposed to be retained is zinc and is marketed as having a 'pre-weathered' appearance, however the product used is from a different manufacturer to the approved sample and is lighter in colour and there is a difference in the surface finish at the time of installation.

2 Site History

- 2.1 In 2010 planning permission was granted for the installation of a replacement sewage treatment unit (BA/2010/0071/FUL).
- 2.2 In 2012 planning permission was granted for a replacement dwelling and car port (BA/2012/0056/FUL). This application was the subject of a Planning Committee site visit on 3 August 2012 following objections from neighbouring residents.
- 2.3 The above 2012 permission has subsequently been amended twice to make changes to the approved decking and solar panels (BA/2014/0087/NONMAT and BA/2014/0241/NONMAT).

3 Consultation

Broads Society – Response awaited.

Parish Council - Object to this planning application as it is contrary to the original application which had been approved and they have ignored that agreement.

District Member – The application should only be determined by the Planning Committee. It is my belief the glare coming from the roof is causing a serious problem for the inhabitants of Broadshaven, the neighbouring property, in contravention of policy DP28.

4 Representations

- 4.1 Three representations received. One refers to comments made on original application for replacement dwelling (concerns about industrial appearance and reflections of zinc roof) and commenting that a greater contrast between roof and wall colour would help it blend in with its surroundings. One objection on the basis it is not the approved roofing material and the reflective glare causes a nuisance, is intrusive and will be worst in late spring and early summer.
- 4.2 An objection from the occupier of Broadshaven, the neighbouring dwelling to the north, notes the difference in colour from the approved material but states the main difference is the reflective glossy material at all times which results in a bright dazzling, blinding glare seen from all areas of Broadshaven. It is stated this glare directly shines into the lounge/dining room and kitchen is intolerable and that it has been impossible to sit outside on the veranda. It is questioned whether this material can be approved when it is not known what it

will look like in several years to come and that the decision cannot be based on what the roof looks like now in the winter months.

5 Policies

- 5.1 The following Policies have been assessed for consistency with the National Planning Policy Framework (NPPF) and have been found to be consistent and can therefore be afforded full weight in the consideration and determination of this application.

Adopted Development Management Policies (2011)

[DEVELOPMENTPLANDOCUMENT](#)

DP4 – Design

- 5.2 The following Policies have been assessed for consistency with the NPPF and have found to lack full consistency with the NPPF and therefore those aspects of the NPPF may need to be given some weight in the consideration and determination of this application.

Adopted Development Management Policies (2011)

DP28 – Amenity

- 5.3 Adopted Site Specific Policies (2014)

HOR4 – Waterside Plots

http://www.broads-authority.gov.uk/_data/assets/pdf_file/0009/469620/Adopted-Site-Specific-Policies-Local-Plan-11-July-2014-with-front-cover.pdf

6 Assessment

- 6.1 In assessing this application it is necessary to consider whether this material is appropriate for the development, for its setting and what impact it has on amenity. The retrospective nature of this application and the breach of condition which has occurred are disappointing and regrettable. However, the circumstances of the application and how this material came to be used are not material considerations in the determination of the application.
- 6.2 As confirmed when approving the original application and discharging the condition, zinc is considered an appropriate roof material for this development and a pre-weathered finish is considered appropriate to mitigate any glare or reflection whilst it develops a natural patina and duller finish. The use of pre-weathered zinc has been accepted, it is therefore only necessary to consider whether the particular pre-weathered zinc product actually used is appropriate here.
- 6.3 It is understood zinc is a 'living' material that does change in appearance over time as it is exposed to the elements. The processes used to give a 'pre-weathered' surface finish when it is first installed do not prevent the appearance continuing to change as a natural patina develops on this. The

product that has been used is lighter in colour and has more of a sheen to the surface than the approved product.

- 6.4 The difference in colour is negligible and therefore considered appropriate to the dwelling and, although the surrounding roofscape is generally darker in colour (tile, shingle and felt coverings) it is not inappropriate to its setting. At present, the surface sheen is only apparent when there is direct sunlight on it and it is appreciated the extent to which this is the case will vary over the course of each day and through the year. In terms of the visual appearance, a sheen on the roof covering is not considered unacceptable. It is anticipated that this will dull in time, although it is appreciated that the extent of any dulling and the time period required cannot be quantified.
- 6.5 Any future change in the surface finish and appearance of the proposed material is as unknown as that for the approved material. Whilst this uncertainty may be considered unhelpful in determining this application, it must be considered whether the material is appropriate in its current condition and that is the same basis on which it was agreed the approved material was acceptable. With regard to Policy DP4, the proposed material is considered to be of a high quality and is appropriate to its context, this is also considered to be in accordance with Policy HOR4.
- 6.6 With regard to amenity, it is noted that in considering the application for the replacement dwelling concerns were raised that a zinc roof would result in glare to neighbouring properties. The pre-weathered, dull finish of the approved material was considered to satisfactorily mitigate any adverse impacts on amenity.
- 6.7 The application dwelling is orientated on a northwest–southeast axis and is sited closer to the neighbouring dwelling to the north (Broadshaven) than that to the southwest (Swallows Bank). It is understood that the sun shines on the northeast roofslope early in the day and moves round to the southwest roofslope later in the day. The occupiers of Broadshaven therefore experience any glare from direct sunlight on the roof in the morning and it is noted they have southwest elevation windows to a lounge/dining room and kitchen facing towards the site as well as an external veranda. There are also views of the car port (which is at 90 degrees to the application dwelling) from the conservatory at the rear of Broadshaven.
- 6.8 The occupier of Broadshaven has described the glare into the dwelling resulting from direct sunlight on the roof covering as intolerable. The roof covering was first installed in August and photos have been submitted by the occupier of Broadshaven showing the roof from their internal accommodation taken in August, September and October. All these photos are taken with the sun shining directly on the northeast roofslope and all show reflectivity and glare visible from Broadshaven. It is apparent from these photos that there has been no significant change in the level of glare in the eight weeks from the first dated photo to the last.

- 6.9 Swallows Bank is the second nearest dwelling, located approximately 13 metres to the southwest of the application dwelling, across a dyke, and closer to the river. The southwest roof slope of Silver Dawn is partly covered by solar panels and rooflights, reducing the visible area of zinc and this, in combination with the distance and relative position, is considered to mitigate any unacceptable impacts on the occupiers of Swallows Bank. With the exception of Broadshaven, no other neighbouring dwellings have direct views of the roof of Silver Dawn.
- 6.10 It has been assessed above that the proposed material is considered appropriate to its site and setting in accordance with Policy DP4. It has also been assessed that there would be no unacceptable impacts on the amenity of the occupiers of Swallows Bank, in accordance with Policy DP28. It must therefore be considered whether the impact on the amenity of the occupiers of Broadshaven is unacceptable, contrary to Policy DP28, and whether this otherwise acceptable proposal must be refused.
- 6.11 As the strong reflections and glare to Broadshaven only result when there is direct sunlight on the roof, this is an intermittent effect dependant on the time of day, weather and season. It is appreciated this application is being determined at the time of year when the impact is likely to be at its lowest level, but the effect in August has been seen and is demonstrated in the objector's submitted photos. The glare does not affect all of the internal accommodation of Broadshaven, only the ground floor kitchen and lounge/dining room which also have windows on the southeast (river) elevation. Silver Dawn is also set forward of Broadshaven, closer to the river, so the roof of Silver Dawn does not extend parallel with the whole length of Broadshaven.
- 6.12 It is appreciated that in the mornings of bright, summer days the impact will be at its worst and that glare from the roof will be apparent within Broadshaven. It is also appreciated that this impact will also occur throughout the year to varying degrees. However, it will always be a transient, temporary impact and will not affect all of the internal accommodation. A pre-weathered zinc roof covering was approved and although a different product has been used, it has similar qualities and is considered otherwise acceptable. As with the approved material, the appearance may change over time and this cannot be quantified or assessed with any certainty, therefore this consideration must be weighted accordingly and the outcome of any weathering process or no more or less certain than with the approved material. On balance, it is not considered that the impact on the amenity of the occupiers of Broadshaven is so severe as to justify a refusal of planning permission.

7 Conclusion

- 7.1 This application seeks to regularise the use of a pre-weathered zinc roof covering which is not in compliance with the approved sample of pre-

weathered zinc. The retrospective nature of the application is regrettable but this is not a material consideration in its determination.

- 7.2 It is accepted that this is lighter in colour and has more of a sheen to the surface than the approved product, however it is considered appropriate for the site and its setting. It is also accepted that when the sun shines directly on the roof it does create a reflection and glare and this is visible from some of the internal accommodation of the neighbouring dwelling Broadshaven. Whilst this is considered to adversely affect the amenity of the occupiers, Development Management Policy DP28 requires an assessment of whether any impacts on amenity are unacceptable and, on balance, this is not considered to be the case here. The proposal is therefore considered to be in accordance with Policies DP4, DP28 and HOR4.

8 Recommendation

- 8.1 Approve subject to conditions:

(i) Retain in accordance with submitted sample and details

9 Reason for recommendation

- 9.1 The proposal is considered to be in accordance with Policies DP4 and DP28 of the adopted Development Management Policies (2011) and Policy HOR4 of the adopted Site Specific Policies Local Plan (2014).

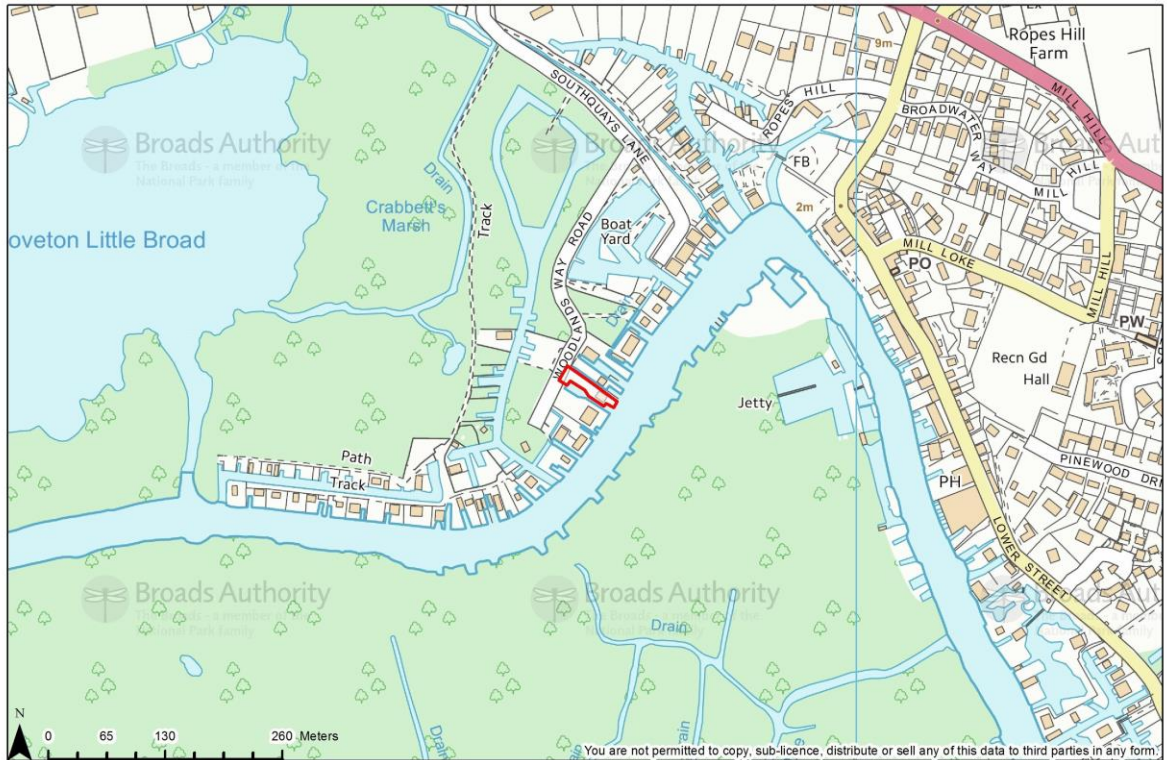
Background papers: Planning File BA/2014/0369/COND

Author: Maria Hammond
Date of Report: 21 November 2014

List of Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

BA/2014/0369/COND Silverdawn, Woodlands Way, Horning, Norfolk, NR12 JR
Variation of condition 3 of PP BA/2012/0056/FUL to amend approved roof material



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