

Reference:

BA/2017/0168/FUL

Location

4 Bureside Estate, Crabbett's Marsh, Horning

BA/2017/0168/FUL 4 bureside Estate, Horning



Application for Determination
Report by Planning Officer

Target Date	26 December 2017
Parish:	Horning
Reference:	BA/2017/0168/FUL
Location:	4 Bureside Estate, Crabbett's Marsh, Horning, NR12 8JP
Proposal:	Single storey dwelling for holiday accommodation use
Applicant:	Dr Peter Jackson
Recommendation:	Approve with conditions
Reason for referral to Committee:	Objections received

1 Description of the Site and Proposals

- 1.1 The application site is a mooring plot with an extant permission for a dwellinghouse at 4 Bureside Estate, Crabbett's Marsh, immediately west of and upstream of the village of Horning. Development across Crabbett's Marsh varies in use, scale and character; the most developed area being that on the river front, with development of decreasing scale and intensity to the north, terminating in largely undeveloped plots of wet woodland nearest the A1062 to the north. The riverfront development of Bureside Estate consists of dwellings, used as holiday and residential dwellings, on modest plots. The single storey scale of dwellings at the western end of Crabbett's Marsh provides some level of transition from the undeveloped marshes upstream to the more substantial dwellings, in scale, density and materials, at Racing Reach on the edge of the main village development which itself is much denser and larger in scale and character. The site is outside the Development Boundary and in flood zone 3a.

- 1.2 Bureside Estate sits on the apex of a gentle bend in the river where the course changes from a west-east flow to a more northerly direction and consequently the plot is wedge-shaped, being wider on the river frontage than at the rear where it meets an unmade access track. The plot currently features two timber outbuildings both in a visibly poor state of repair, one adjacent to the southwest boundary at approximately the midpoint of the site, and one adjacent to the northeast boundary to the rear of the site. Along the southeast boundary there is a small mooring cut and all the banks have timber quayheading. The site is mostly clear aside from two trees on the northeast boundary. The adjacent property to the northeast features a one and a half storey dwelling sitting end on to the river, to the southwest is a single storey dwelling.
- 1.3 In 1997 planning permission was granted for the erection of a 3-bed dwelling for holiday use, this proposed building was to replace a residential caravan which had been present on the site for a number of years. Building works commenced but only got as far as removal of the caravan and the provision of piles for the new dwelling. Although the dwelling itself was not constructed, the Local Planning Authority (LPA) are satisfied that the provision of pilings is sufficient to demonstrate that works have commenced, and evidence previously presented to the LPA is considered sufficient to demonstrate that these works were carried out within the five year time limit for commencement of works. This is satisfactory in establishing that the 1997 permission for a new dwelling is extant.
- 1.4 The current proposal seeks to update the approved dwelling to provide a more contemporary standard of accommodation through an increase in size whilst remaining as a 3-bed dwelling, make alterations to the appearance of the dwelling, and set the building slightly further from the riverbank. The two existing outbuildings on site would be removed.
- 1.5 The 1997 permission was for a building with a width of 5.08m and a depth of 10.50m, a ridge height of 5.60m, with the building set back from the riverbank by 12.20m. The current proposal is for a building which steps in as the plot width narrows, giving a width fronting the river of 6.90m for a depth of 8.74m with a ridge height of 6.75m, stepping in to a width of 4.75m for a depth of 7.64m with a ridge height of 6.00m. The building set back from the riverbank by 13.80m.
- 1.6 The finish of the building would be horizontal timber cladding stained blue, with timber framing coloured white, and white frames to the proposed windows. The roof would comprise cedar shingles.

2 Site history

- 2.1 BA/1997/2191/HISTAP - Remove static caravan and erect holiday chalet. Approved with conditions, May 1997.
- 2.2 BA/2016/0251/PREAPP - Proposed Detached Three Bedroom, One & Half Storey Residential Dwelling. Advice given.

3 Consultation

Parish Council - the Parish Council discussed this application at length and agreed to offer 'no comment'

District Member - This application can be determined by the Head of Development Management (delegated decision).

Environment Agency - No objection subject to a condition requiring that a 'grey water' recycling system be implemented throughout the dwelling.

NNDC Environmental Protection - No objection subject to a condition requiring that a 'grey water' recycling system be implemented throughout the dwelling.

BA Ecologist - No objection subject to conditions.

BA Tree Officer - No objection subject to conditions.

BA Historic Environment Manager - The revised scheme does go some way to overcome previous concerns in terms of design and potential impact on neighbouring amenity. The increased set back and loss of balustrading and overall width from the building are all suggestions that were made to improve the proportions and plot to footprint ratio of the building.

Given the amendments and the form of previously approved scheme on the site I would recommend approval for this application on design grounds subject to conditions on materials and landscaping and removal of all Permitted development rights for the plot.

Representations

Four letters were received raising issues summarised as follows:

- Building is too large for the plot and too wide.
- Scale and mass would result in a cramped form of development, impacting on character and distinctiveness of the area.
- Lack of separation to side boundaries.
- Out of scale and keeping with surrounding development.
- Loss of light to neighbouring properties.
- Loss of views between properties.
- Use as holiday let will create unacceptable noise and disturbance.
- Use of proposed mooring will block views.
- Proposal is contrary to paragraphs 58 and 64 of the NPPF, policy 1 of the Joint Core Strategy for Broadland, Norwich and South Norfolk 2011, saved policies HOU13 and HBE12 of the City of Norwich Replacement Local Plan 2004 and emerging policies DM3 and DM12 of the emerging Development Management Policies April 2013.

Two letters of support summarised as follows:

- Site is currently derelict and therefore out of character with the other properties.

- The building would be single storey and have a low profile.
- Small size of the proposed dwelling would tend to limit the nature and volume of disturbance.

4 Policies

- 4.1 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.

[NPPF](#)

Core Strategy (adopted 2007) [Core Strategy Adopted September 2007 pdf](#)

CS1 - Landscape Protection and Enhancement

Development Management Policies DPD (adopted 2011)

[Development-Plan-document](#)

DP1 - Natural Environment

DP2 - Landscape and Trees

DP4 - Design

DP29 - Development on Sites with a High Probability of Flooding

Site Specific Policies Local Plan (adopted 2014)

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

HOR1 - Development Boundary and Drainage

- 4.2 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.

Core Strategy (adopted 2007)

CS18 - Sustainable Patterns of Development

CS20 - Development within Flood Risk Zones

Development Management Policies DPD (adopted 2011)

DP12 - Access to the Water

DP22 - Residential Development within Defined Development Boundaries

DP24 - Replacement Dwellings

DP28 - Amenity

- 4.3 The following Policies have been assessed for consistency with the NPPF which has been found to be silent on these matters. Paragraph 14 of the NPPF requires that planning permission be granted unless the adverse effects would outweigh the benefits.

DP13 - Bank Protection

4.4 Other Material Considerations

Landscape Character Assessment Area 23 [Landscape-Character-Assessment-Bure-Valley](#)
Joint Position Statement on Development in the Horning Water Recycling Centre Catchment
National Planning Policy Framework (NPPF) [NPPF](#)
National Planning Policy Guidance (NPPG)
<http://planningguidance.planningportal.gov.uk/>

Neighbourhood plans

4.5 There is no neighbourhood plan in force in this area.

5 Assessment

5.1 The proposal is for the erection of a dwelling for holiday use. The main issues in the determination of this application are the principle of the development, design, landscape, neighbour amenity, trees and biodiversity, flood risk, and the impact on the Horning catchment water recycling centre.

Principle of development

- 5.2 The site lies outside of a development boundary and there is therefore a general presumption against development. However, as outlined in paragraph 1.3 above, in this specific case there is an extant planning permission (BA/1997/2191/HISTAP) for the construction of a 3-bed dwelling for holiday use. During pre-application discussion under planning reference BA/2016/0251/PREAPP, evidence was provided to the LPA regarding the installation of piling for the approved dwelling, this was considered on the balance of probabilities to be sufficient to demonstrate that the piling was completed within the time limit for commencement of works. As a result the proposal cannot be considered as new residential development under planning policy DP22 of the Development Management Policies DPD. Equally, whilst the proposal is for an increase in size and an update to the design, as the approved dwelling was not actually constructed the proposal would not be considered a replacement dwelling under Policy DP24. It should be noted that the relevant parts of Policy DP24 are replicated elsewhere in the Development Management Policies DPD, specifically DP4 considering design, and DP29 dealing considering flood risk. The proposal is in effect an application to vary a condition on an extant consent.
- 5.3 Taking into account the site history and the demonstration that the 1997 permission is extant, the proposed 3-bed dwelling is considered acceptable in principle.

Design

- 5.4 Policy DP4 requires that development must be of a high quality design and appropriate in terms of scale, form and massing when considered in the context of the site, neighbouring development, and the surrounding landscape, streetscape and waterscape. The approved dwelling had a design which is overall replicated in the current proposal in providing what is generally a lightweight riverside chalet design, end-on to the river, with a form broadly picking up on a traditional boathouse appearance which is prevalent in this specific location. The design of the river fronting elevation has been simplified and provides a more legible and balanced appearance. The terrace to the front has a centralised appearance which complements the building design. In not including a side porch element as per the approved scheme, the symmetry of the proposed building is maintained.
- 5.5 The design as proposed provides a larger dwelling than the approved, however the increase in size is not considered to be excessive, and overall its size and separation to flank boundaries reasonably corresponds to neighbouring development to the southwest. Whilst it is accepted that the plot size is notably smaller than neighbouring sites, the inclusion of dwellings and boathouses results in a scale of development which covers the majority of the site widths, an approach which is replicated with the proposed scheme. The dwelling to the northeast of the site maintains a greater separation to the shared boundary but is a much taller building being one-and-a-half storeys which requires more in the way of setting. The proposed scheme effectively provides a continuation of the form established at the sites to the southwest which presumably guided the design of the approved dwelling. The difference in scale of the proposed scheme is considered to be acceptable in relation to the established built form and would not result in a form of development that would be out of keeping with the area.
- 5.6 The front building line of the approved dwelling corresponded with the adjacent dwelling to the southwest. Under the proposed scheme the front building line would be set back from the riverbank by an additional 1.6m, this would sit well in relation to the adjacent dwelling taking into account the increase in size of the proposed dwelling. Whilst the building line is noticeably forward of the adjacent dwelling to the northwest, given the obvious differences in building form and scale it is considered that the proposed building line would not result in an unacceptable impact on the character of the area and the river scene.
- 5.7 The proposed dwelling is therefore considered acceptable with regard to DP4 of the Development Management Policies DPD.

Landscape

- 5.8 The site is located on the northern bank of the River Bure on a visibly flat site with a backdrop of trees. The landscape character assessment describes the developed area of Crabbett's Marsh as an area of chalet development at a

relatively high density. The proposed scheme would correspond with this overriding character, and in proposing a single storey development would ensure a form and scale of development which in corresponding well to neighbouring development would not have an adverse impact on the landscape character of the area. Furthermore the single storey allows for the backdrop of trees to be more prevalent from longer views.

- 5.9 The scale and orientation are characteristic of development on this section of the river and alongside the form and materials are considered to represent an acceptable approach to development at this site which would assimilate well with its surroundings and have no discernible impact on the landscape character of the area. In this respect the proposed dwelling is acceptable with regard to Policy DP2 of the Development Management Policies DPD, and Policy CS1 of the Core Strategy.

Amenity

- 5.10 The proposed development would result in a dwelling to a maximum height of 6.75m, which is an increase of 1.15m over the approved height of 5.6m, and eaves height of 3.85m. The separation on the north-eastern boundary is minor but the separation to the adjacent dwelling is considered sufficient to ensure no undue impact on neighbouring amenity in terms of light and outlook. The separation to the south-western boundary is more generous, between 2.5m and 4.35m, although the neighbouring dwelling is much closer on this side, however the combination of the separation and the reasonable eaves height of the proposed dwelling would not have an unacceptable impact on neighbouring amenity.
- 5.11 In terms of privacy, both of the neighbouring dwellings feature windows facing the subject site, however this in itself is not a reason for refusal and the existing site conditions and the approved scheme are a consideration, as is the location on the river front and the limits on privacy consequent on this. The flank of the neighbouring dwelling to the northeast features only one non-obscure glazed window, this is sited to the front corner of the property and is a secondary window to the main river facing openings. Whilst there are windows in the flank of the proposed dwelling, given the location of the windows and use of the rooms in question, along with the limits on privacy that are afforded to the relevant section of the neighbouring dwelling, it is not considered that there would be an unacceptable loss of privacy for the residents of the neighbouring dwelling.
- 5.12 The neighbouring dwelling to the southwest features two windows in the flank elevation facing the subject site, both of these serve bedrooms. Whilst there are three windows in the flank of the proposed dwelling only one is in the proximity of the neighbouring windows, this also serves a bedroom. Given the siting of the windows they would appear to directly face one another. It is accepted that this can result in a loss of privacy for neighbouring residents, however the extant 1997 permission is a key consideration here and it is noted that the approved dwelling included a bedroom window in the flank elevation, again directly facing the windows at the adjacent dwelling. Whilst the

approved plans for that application showed two trees next to the boundary on the neighbours side, these have since been removed, which is regrettable. As the permission is, however, extant and could therefore be constructed, the impact on privacy at the neighbouring dwelling would be no greater than should that approved development be completed, even taking into account the change in building siting and height. With this in mind, it is considered that the proposed scheme would not result in such an unacceptable loss of privacy for residents of the neighbouring property to the southeast as to justify a refusal of planning permission, taking into account the approved 1997 scheme. The proposed development is therefore acceptable with regard to Policy DP28 of the Development Management Policies DPD.

Flood Risk

- 5.13 The subject site is located within flood zone 3. The Environment Agency (EA) have raised no objection subject to a condition relating finished floor level which the proposed dwelling would achieve. It is therefore considered that the proposed dwelling is acceptable with regard to Policy DP29 of the Development Management Policies DPD.

Impact on the Horning catchment water recycling centre

- 5.14 Objections were initially received from the EA and North Norfolk District Council (NNDC) Environmental Protection in respect of the waste water which would arise from the site. Whilst it was noted that there is an extant permission for a 3-bed unit and the current proposal is for a 3-bed unit, the inclusion of an additional bathroom was considered unacceptable with regard to the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment which seeks to prevent additional inputs to the local system pending upgrading works. The objection was raised with the applicant who proposed three approaches to reduction of waste water, these were assessed by both the EA and NNDC who agreed that the proposal would be acceptable subject to a 'grey water' recycling system to be implemented throughout the dwelling and retained for the lifetime of the development. This would be achieved through a planning condition requiring details to be approved in accordance with the EA, subject to which the proposed dwelling would be considered acceptable in terms of its impact on the Horning catchment water recycling centre.

Biodiversity

- 5.15 The proposal has been assessed by the BA ecologist who has raised no objections. To improve biodiversity at the site enhancement measures for bats and birds would be secured through planning condition, along with a condition relating to the timing of tree works.

Trees

- 5.16 The applicants have submitted an arboricultural impact assessment and method statement for the proposed development, this has been assessed by

the BA Tree Officer who has proposed that two trees could be retained and pollarded and managed as boundary screening. This is best undertaken prior to the commencement of any development and would be conditioned thus. One tree would be removed, this is largely decaying and its removal is not resisted. To compensate for the loss of the tree either a number of single trees or an Osier hedge or similar should be provided, this can be secured by planning condition.

Extension to the existing mooring cut and replacement of quayheading

- 5.17 The subject site currently features a mooring cut with slipway which is located on the river frontage to the south-western side of the site. The proposal seeks to increase the length of the cut by 0.3m and the width by 1.2m. The slipway would be removed. Whilst the objection of the neighbour in terms of the potential impact on views is noted, views are not protected in planning, and there are sizeable mooring cuts at all the neighbouring properties, therefore it would not be reasonable to resist an extension to an existing mooring cut at the subject site.
- 5.18 The existing quayheading is timber, the proposed quayheading is timber, this would maintain the appearance of the site and is considered acceptable. A boardwalk around the water's edge is proposed, this is a common approach at properties in this location and is considered acceptable.
- 5.19 The proposed works would be sited off the river and therefore ensure that it does not impede navigation of this stretch of the river. The mooring cut is situated within Flood Zone 3, however the extension of the mooring cut will increase the water capacity of the area and is therefore likely to marginally improve the flood risk of the site.

6 Conclusion

- 6.1 The site benefits from an extant permission for a 3-bed dwelling for holiday use and this proposal is for a 3-bed dwelling for holiday use which seeks to update the design and increase the size of the dwelling. The proposed dwelling has a simple design and is of a reasonable scale, it would not be detrimental to the character of the surrounding area or the river scene, and would not unduly impact on the amenity and privacy enjoyed by neighbouring residents, taking into account the extant permission.

7 Recommendation

Approve subject to conditions

- i. Standard time limit;
- ii. In accordance with submitted plans;
- iii. Details of materials;
- iv. Details of landscaping scheme;
- v. Approved landscaping scheme to be implemented in next available planting season following development;

- vi. Any tree or plant that dies within 10 years to be replaced;
- vii. Timing of tree works;
- viii. Restriction on works to trees, shrubs, or hedgerows for 10 years;
- ix. Works to be carried out in accordance with sections 5.1 to 5.4 of the submitted Arboricultural Impact Assessment;
- x. Details of water management plan;
- xi. Finished floor levels above 2.25m AOD;
- xii. Bat and bird mitigation measures and enhancements;
- xiii. Timber quayheading preservative;
- xiv. External lighting scheme;
- xv. Restriction on use - type of use, duration of stay, register of bookings; and
- xvi. Remove permitted development rights.

8 Reason for Recommendation

The proposal is considered to be in accordance with Policies CS1 and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP12, DP13, and DP28 of the Development Plan Document (2011), Policy HOR1 of the Site Specific Policies Local Plan and the Joint Position Statement on Development in the Horning Water Recycling Centre Catchment, and the National Planning Policy Framework (2012) which is a material consideration in the determination of this application.

List of Appendices:	Location Plan
Background papers:	Application File BA/2017/0168/FUL
Author:	Nigel Catherall
Date of Report:	7 June 2018
Appendices:	Appendix 1 – Map

APPENDIX 1

BA/2017/0168/FUL 4 bureside Estate, Horning

