

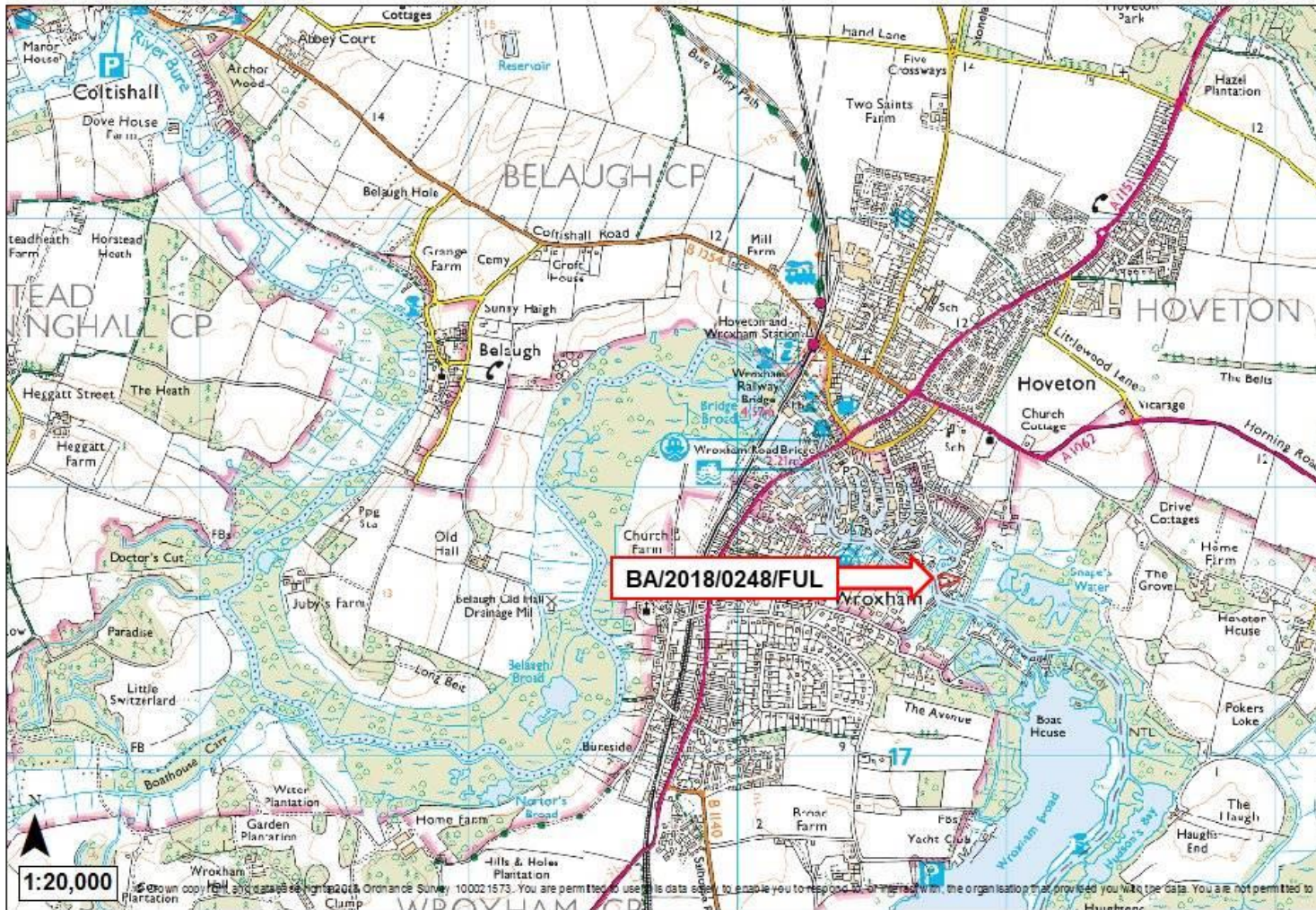
**Reference:**

BA/2018/0248/FUL

**Location:**

Wilderness, Meadow Drive, Hoveton

BA20180248FUL Wilderness, Meadow Drive, Hoveton



### **Application for Determination**

|   |   |                    |                   |
|---|---|--------------------|-------------------|
| <b>Parish</b>                           | Hoveton   |                    |                   |
| <b>Reference</b>                        | BA/2018/0248/FUL  | <b>Target date</b> | 20 September 2018 |
| <b>Location</b>                         | Wilderness, Meadow Drive, Hoveton, NR12 8UN                         |                    |                   |
| <b>Proposal</b>                         | Replacement of existing cottage with new dwelling and holiday unit. |                    |                   |
| <b>Applicant</b>                        | Ms Sue Myhra  |                    |                   |
| <b>Recommendation</b>                   | Approve subject to conditions                                       |                    |                   |
| <b>Reason for referral to Committee</b> | Objections received   |                    |                   |

## **1 Description of the Site and Proposals**

- 1.1 The application site comprises a dwelling known as Wilderness, formerly Jaganda, and the adjacent garden plot sited between Wilderness and Cedar Lodge, located at the southern end of Meadow Drive, Hoveton. Wilderness fronts onto the River Bure, whilst the garden plot is on the corner of the River Bure. A dyke runs off the river in a north-easterly direction. Wilderness is a reasonably sized dwelling of a storey and a half, with timber boarded walls and a roof of cedar shingles; it is currently in use as a holiday let. The property features a detached conservatory with adjoining canopy and an open sided boat shelter over a mooring cut to the river side of the dwelling, and two adjoined single garages and two sheds to the road side of the dwelling. The garden plot was incorporated into the residential curtilage of Wilderness under a 2014 consent and features a mooring cut and a timber shed adjacent to the mooring cut. In 2018 planning permission was granted for the construction of a detached garage at the eastern end of the site which has been constructed since the submission of this application.
- 1.2 Development along Meadow Drive varies in character. To the north, large, brick built dwellings front the road with long curtilages that extend down to the dyke. The street scene is rather suburban in character and there are no views of the water. The road then becomes private as it turns to the south and the dwellings become smaller in scale and lightweight in construction and appearance. These dwellings sit in generally smaller plots and address the water with mooring related development such as cuts along the dyke. At the far southern end of the road the plots and dwellings become larger again and

fan round a bend in the river. It is at this southern end of the road where the application site lies. Dwellings at this location are generally one and a half storey with rooms in the roof and some noticeable variance in building height.

- 1.3 This site is in flood zone 3 and partly within the adopted development boundary for Hoveton and Wroxham.
- 1.4 The proposal seeks to replace the existing dwelling with a more contemporary dwelling both in terms of its appearance and the standard of accommodation, and to construct an additional dwelling on the garden plot. The replacement dwelling would be utilised as private residential accommodation, the additional dwelling would be utilised as holiday accommodation. All the outbuildings on site aside from the recently constructed garage would be removed.
- 1.5 It is noted that the scheme as originally submitted proposed a two storey replacement dwelling with a shallow pitched roof. Following discussion between officers from the Broads Authority and the applicant and their agents a revised scheme was submitted proposing a one and a half storey dwelling with a noticeably steeper roof pitch. The amended scheme was the subject of a second consultation.
- 1.6 The replacement dwelling would bring the built form 4.2m closer to the river, maintaining a separation from the riverbank of 23.5m. The main body of the replacement dwelling would have a width of 8.6m, a depth of 14.6m, and a ridge height of 9.1m, with an additional side projection with a width of 4.0m and a ridge height of 7.9m. The additional dwelling would have a width of 6.9m, a depth of 8.25m, and a ridge height of 7.55m. Both properties would be raised above ground level by 0.65m and both include raised terraces to the river fronting elevation. The replacement dwelling features two Juliette balconies fronting the river; the additional dwelling features a standard balcony fronting the river.
- 1.7 The finish of the replacement dwelling would be a mix of horizontal weatherboarding, painted brick, and painted render, with a roof of zinc aluminium sheeting or slate tiles. The finish of the additional dwelling would be horizontal weatherboarding, with a roof of zinc aluminium sheeting or slate tiles. Windows to both properties would be powder coated aluminium.

## **2 Site history**

### Wilderness

- 2.1 In 1993 consent was granted for a pitched roof to replace flat roof and alterations to dwelling (BA/1993/2477/HISTAP).
- 2.2 In 1994 consent was granted for a wet boat house (BA/1994/2432/HISTAP).
- 2.3 In 2003 consent was granted for the construction of dinghy mooring dock and slipway (BA/2003/1472/HISTAP).
- 2.4 In 2011 consent was granted for a dormer extension (BA/2011/0350/FUL).

- 2.5 In 2014 consent was granted for the change of use of the land from mooring plot to residential to form part of the garden to The Wilderness (BA/2014/0350/CU).
- 2.6 In 2015 consent was granted the replacement of the existing detached garden room (BA/2015/0061/HOUSEH).
- 2.7 In 2017 advice was given regarding a proposed replacement dwelling (BA/2017/01119/PREAPP).
- 2.8 In 2018 consent was granted for a garage/workshop (BA/2018/0093/HOUSEH).

### **3. Consultation**

Parish Council - The Parish Council originally objected to the scheme due to the height of the replacement dwelling, but responded stating no objection to the amended scheme. Additionally they raised concerns about the sewage system in this location, suggesting that any grant of planning permission should be subject to a condition that the additional dwelling should not be constructed until sewerage problems have been resolved by Anglian Water.

District Member - The District Member originally objected to the scheme due to the siting and scale, mass and ridge height of the replacement dwelling, and the impact on sewer capacity. Responding to the amended scheme the District Member commented that the concerns regarding the size and siting of the replacement dwelling were substantially addressed, but restated concerns regarding the impact of potentially much greater foul water discharge into the Meadow Drive sewer.

Broads Society - The Broads Society has objected to the original and amended scheme citing concerns at over development of the site and the visual impact which they consider to be over dominant.

Environment Agency - No objection subject to conditions.

BA Ecologist - No objection subject to conditions.

BA Tree Officer - No objection subject to conditions.

### **Representations**

Four letters were received raising issues summarised as follows:

- Building is rather large and is sited too near the river.
- Already too many holiday lets in this location.
- Landscape impacts from siting dwellings closer to the river.
- Impact on views from neighbouring properties.
- The revised build line and proposed height / bulk of the building would be intrusive to the immediate neighbours.
- Sewage issues

## 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.

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](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)

(Pages 58 – 63)

HOV1 - Development Boundary

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

CS18 - Sustainable Patterns of Development

CS20 - Development within Flood Risk Zones

Development Management Policies DPD (adopted 2011)

[Development-Plan-document](#)

DP22 - Residential Development within Defined Development Boundaries

DP24 - Replacement Dwellings

DP28 - Amenity

- 4.3 Other Material Considerations

National Planning Policy Framework (NPPF)

[NPPF](#)

National Planning Policy Guidance (NPPG)

<http://planningguidance.planningportal.gov.uk/>

## **Neighbourhood plans**

- 4.4 There is no neighbourhood plan in force in this area.

## **5 Assessment**

- 5.1 The proposal is for the demolition of the existing dwelling, the erection of a replacement dwelling for use as private residential accommodation, and the erection of an additional dwelling for use as holiday accommodation. 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 local sewage network.

### Principle of development

- 5.2 In terms of the replacement dwelling, these are in principle acceptable on a one-to-one basis both within and outside development boundaries. The existing dwelling is a reasonable example of a riverside chalet, but has been developed over the years in a way that has diluted its original charm and its loss is not resisted.
- 5.3 Considering the replacement dwelling, the site is located within a defined development boundary and therefore the proposal would be acceptable with regard to Policy DP22 of the Development Management Policies DPD and Policy HOV1 of the Site Specifics Local Plan which permit new residential development within development boundaries. Policy HOV1 cites the limited availability for development of undeveloped land or underused strips, and notes that there has long been a gradual renewal and replacement of buildings.
- 5.4 Overall, it is considered that the development proposed accords with the policy approach taken and is therefore acceptable in principle.

### Design and siting

- 5.5 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 first consideration must be the proposed siting of the two dwellings, which moves the residential built form closer to the river by 4.2m for the replacement dwelling and 4.9m for the new unit. The siting of dwellings on this section of Meadow Drive does not follow a clear pattern, in that it lacks consistency, and does not obviously respond to the course of the river and dyke in that some dwellings are closer to the river and some maintain a greater separation. This pattern is evident at dwellings to the east of the application site which front the River Bure, and is particularly apparent to the north of the application site where these front the dyke. The two properties immediately north of the application site feature one dwelling close to the river and one house close to the road and a 10 metre separation

between rear and front building line. This underlines the difference in approach at different sites, and this difference in siting, along with the fairly minimal forward projection at 4.2m and 4.9m, would be acceptable in terms of the context of neighbouring development and the appearance of the area.

- 5.6 There is a range of residential building types at the southern end of Meadow Drive with the most recurrent form being one and half storey dwellings where fairly steep pitched roofs allow for living accommodation in the roof space to be provided through the use of dormers or prominent gables. The proposed dwelling seeks to utilise both approaches, something that has been done at properties further north along Meadow Drive. This ensures the overall height of the buildings remains reasonable and the presence of the dwellings is not overbearing; the fairly steep roof pitch is something that is fairly common in this area, principally to allow for use of the roof for habitable accommodation. Both properties retain a simple and balanced appearance, roof projections are subservient in form and size, and the overall appearance picks up on the form which is characteristic of the area. It is accepted that the replacement dwelling would be noticeably taller than the existing dwelling, however, the size of the proposed building is not excessive, and there are examples of tall properties in the surrounding area including at the neighbouring site. Furthermore, given the size of the site, the proposed dwelling is considered to be of a reasonable size with adequate separation to flank boundaries, broadly corresponding with neighbouring development.
- 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 flat site with a backdrop of trees which is visible between properties. The landscape character is of a predominantly developed nature, although in departing the centre of Hoveton/Wroxham development is low key and trees become more prevalent, although the unmistakable presence of human activity is clearly evident. In proposing a one and a half storey development this would ensure a form and scale of development which, in corresponding reasonably to neighbouring development, would not have an adverse impact on the landscape character of the area.
- 5.9 The scale and orientation are characteristic of development on this section of the river and, alongside the form and appearance, 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. The siting of the dwellings closer to the river would not be detrimental to landscape, the dwellings from any river view would always be seen in the context of surrounding development and would not be unnecessarily prominent or appear out of place. 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 Considering first the proposed replacement residential dwelling, this would result in a dwelling to a maximum height of 9.12m and eaves height of 4.5m. The separation to the adjacent boundary is around 6 metres, this is considered sufficient to ensure no undue impact on neighbouring amenity in terms of light and outlook. The siting of this dwelling 4.2m closer to the river could potentially have some impact on views from the neighbouring property, but this would be at a very tight angle. It is noted that there are existing trees which would mostly obscure the view as it currently exists, and finally views are not protected in planning. Therefore this is not a material consideration in the assessment of this proposal. It is therefore considered that the proposed replacement residential dwelling would not have an unacceptable impact on neighbouring amenity.
- 5.11 The proposed new holiday dwelling would result in a dwelling to a maximum height of 7.55m and eaves height of 3.6m, with a separation to the adjacent boundary of 1.8m. The dwelling would project forward of the adjacent dwelling river fronting building line by approximately 4.9m. Whilst this may appear a curious approach, taking into account the siting of the neighbouring property to the north, it is in considering this dwelling that such an approach emerges as a careful strategy. The design of the neighbouring dwelling is such that the flank elevation has 8 windows, 4 at ground floor and 4 at first floor, which face the subject property. If the proposal was for a building sited alongside the neighbouring dwelling then this would give strong grounds for refusal on the basis of loss of light and outlook. By siting the proposed building closer to the river it minimises the impact as it is no longer directly in front of habitable room windows to the most extent. There would be an overlap of approximately 2.4m at the western end of the neighbouring dwelling. However, it is noted that the window in the roof dormer at this end is obscure glazed, and the ground floor window forms part of a dual aspect room and would not be a sole or principal source of light and outlook. Whilst there may be some loss of view, as noted above, views are not protected in planning, therefore this is not a material consideration in the assessment of this proposal. Any impact on the river fronting elevation would be less pronounced as the proposed building is sited to the side of that aspect. There is a reasonable level of planting on this section of the boundary in the control of the neighbouring residents, which would assist in softening the appearance of the proposed building when viewed from the neighbouring dwelling and adjacent amenity space.
- 5.12 Overall, it is considered on balance that the proposal would not result in undue impact on neighbouring amenity in terms of amenity and outlook.
- 5.13 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 are a consideration, as is the location on the river front and the limits on privacy consequent on this. There are windows in the flank of the existing dwelling facing south and windows in the same flank of the proposed residential dwelling, so, given the location of the windows and use of the rooms in question, along with the separation to the boundary and the

existing boundary treatment, it is not considered that there would be an unacceptable loss of privacy for the residents of the neighbouring dwelling. At first floor level there is only one window, which would service a dressing room. Although this is not treated as a habitable room for purposes of amenity, it would not be unreasonable to require an obscure glazed window to ensure privacy of neighbours is protected.

- 5.14 Externally, a fairly sizeable raised terrace is proposed to the river fronting elevation of the replacement dwelling. Whilst this may increase the potential for overlooking when compared to the existing modestly sized terrace, taking into account the siting of the terrace in relation to the neighbouring property, the separation to the boundary, and generally open nature of the amenity space in this location fronting the river, it is considered that there would not be an undue loss of privacy for neighbouring residents.
- 5.15 As noted above there are numerous windows in the flank elevation of the neighbouring dwelling to the north. The proposed holiday dwelling does not feature any windows at first floor on the flank. There are two ground floor windows, one serving a kitchen which given the difference in the siting of the properties does not face directly into the neighbouring dwelling, and the other serves a shower room and as such can be conditioned to be obscure glazed, thereby reasonably ensuring the privacy of neighbouring residents. A fairly sizeable raised terrace at ground floor and a balcony at first floor with a projection of 1.15m are proposed to the river fronting elevation, taking into account the siting of the terrace and balcony in relation to the neighbouring property, the existing boundary treatment, and generally open nature of the amenity space in this location fronting the river, it is considered that there would not be an undue loss of privacy for neighbouring residents.

### Flood Risk

- 5.16 The subject site is located within flood zone 3. The Environment Agency (EA) initially raised an objection with regard to flood risk, however, following discussions it was considered correct to classify the garden plot portion of the site as flood zone 3a. Consideration was given to the existing and proposed development footprints which overall resulted in a small reduction of footprint, the pattern of surrounding development and the established uses along Meadow Drive and adjacent roads. As a consequence of this consideration, the EA removed the holding objection on flood risk grounds subject to conditions and the application of the sequential and exception tests.
- 5.17 The NPPF seeks a position where inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. It goes on to state that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding. The subject site is within a well-established location for residential development and within a defined development boundary. This makes it a fairly rare site within Hoveton. There are no reasonably available alternative sites

appropriate for this type of development so, with this in mind, it is considered that the proposed development passes the sequential test.

- 5.18 In terms of the exceptions test, a development must provide sustainability benefits to the community, and be safe for its lifetime without increasing flood elsewhere, and, where possible, reduce flood risk overall. The proposal would continue to provide a unit of holiday accommodation which would contribute to the economy of Hoveton and the immediate surrounding area, which is considered to be of benefit to the sustainability of Hoveton in terms of contributing to its viability. The proposed dwellings would achieve a floor level 1.79m above ordnance level (AOD) which is at the 1% (1 in 100) annual probability event. This has been assessed by the EA and considered sufficient. The existing dwelling has a floor level of 1.37m AOD, and the site currently features a number of structures with no raised floor level. The proposed buildings would be raised and allow flood waters to flow beneath so this will contribute to a reduction in flooding elsewhere as capacity has been marginally improved at the site. With this assessment in mind it is considered that the proposed development passes the exception test.
- 5.19 The submitted Flood Risk Assessment recommends that the owners of the residential dwelling and the manager of the holiday dwelling register with the EA's 'Flood Warnings Direct' which would help ensure that people at the site have reasonable warning of any flood dangers and can take action to stay safe. A flood response plan should be prepared for both properties to contribute to the safety of those present at the site during extreme weather events; this can be secured by condition. The proposed development is therefore considered acceptable with regard to DP29 of the Development Management Policies DPD.

#### Impact on sewage infrastructure

- 5.20 Objections were initially received from the EA, the District Member, and in neighbour representations in respect of the waste water which would arise from the site. This is a current and ongoing issue as there are confirmed reports of very localised effluent release/garden flooding problems and loss of sewer facilities. This is reported to occur regularly, including after rainfall events and at certain tidal states and when the sewer is flooded. Anglian Water is aware of the problem and is investigating. There is concern that any additional inputs to the system will exacerbate existing problems.
- 5.21 The proposed replacement dwelling does not increase the provision of accommodation over and above that present in the existing dwelling and therefore would not increase waste water discharge. The proposed holiday dwelling is a 2-bed unit which would increase waste water discharge at this site, although this is considered to be a very low level addition.
- 5.22 It should be noted that there is a not dissimilar situation at Horning, where there is flooding, including foul water flooding, in certain circumstances. In the Horning case, it is as a result of the treatment plant there operating at above capacity, meaning that it cannot satisfactorily process the existing flows.

Consequently, the Horning area is subject to a 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. This Position Statement is a material planning consideration in the assessment of any proposal and may be used to justify a refusal of planning permission.

- 5.23 It must be noted that, notwithstanding the documented issues in this part of Hoveton, there is no Position Statement in place in Hoveton, and nor is one likely to be prepared pending the conclusion of the investigation of the causes of the issues here. The principle of a Position Statement has not been discounted by any of the parties involved in investigating the matter (which includes North Norfolk District Council, however, there is nothing currently under consideration. Accordingly, there is no material basis upon which to refuse an application on this ground alone, particularly when the scale of additional waste water discharge is considered.
- 5.24 The EA have carefully considered their position and recommend that should Anglian Water consider the issue is not resolvable in the short term, that a planning condition could be included as part of any grant of planning permission to address the additional waste water potential at the site. A condition covering the provision of a foul water strategy is proposed and this can cover this matter as required.

#### Biodiversity

- 5.25 The proposal has been assessed the Authority's ecologist who has raised no objections subject to conditions regarding the demolition and construction works. To improve biodiversity at the site enhancement measures for bats and birds would be secured through planning condition.

#### Trees

- 5.26 The applicants have submitted an arboricultural impact assessment and method statement for the proposed development and this has been assessed by the Authority's Tree Officer. He has proposed that with the removal of several trees some compensatory planting should be provided, this can be secured by planning condition.

### **6. Conclusion**

- 6.1 The proposed redevelopment of the site is acceptable in principle and given the size of the plot and its location in a well established part of Hoveton, the provision of a replacement residential dwelling and a dwelling for holiday use is considered an appropriate use of the site. The proposed dwellings are of a scale and design which would sit well in this location and reasonably complement surrounding development. The siting forward of the existing building line has been well thought out and is considered to be justified. The development 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. The proposal is considered acceptable with regard to flood risk and foul water disposal.

## **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. Restriction on works to trees, shrubs, or hedgerows for 10 years;
- viii. Works to be carried out in accordance with submitted Arboricultural Impact Assessment;
- ix. Details of foul drainage strategy
- x. In accordance with flood risk assessment;
- xi. Finished floor levels of residential dwelling above 1.79m AOD;
- xii. Finished floor levels of holiday dwelling above 1.79m AOD;
- xiii. Details of flood response plans;
- xiv. Site check by ecologist prior to demolition;
- xv. Bat and bird mitigation measures and enhancements;
- xvi. External lighting scheme;
- xvii. Restriction on holiday dwelling use - type of use, duration of stay, register of bookings; and
- xviii. Remove permitted development rights

## **8 Reason for Recommendation**

- 8.1 The proposal is considered to be in accordance with Policies CS1, CS18, and CS20 of the Core Strategy (2007), Policies DP1, DP2, DP4, DP22, DP28, and DP29 of the Development Plan Document (2011), Policy HOV1 of the Site Specific Policies Local Plan, and the National Planning Policy Framework (2018) which is a material consideration in the determination of this application.

List of Appendices: Location Plan

Background papers: Application File BA/2018/0248/FUL

Author: Nigel Catherall

Date of Report: 19 December 2018

BA20180248FUL Wilderness, Meadow Drive, Hoveton

