

Application for Determination

Parish	Stalham		
Reference	BA/2012/0020/FUL & BA/2012/0021/CON	Target date	23/03/2012
Location	Utopia And Arcady, Mill Road, Stalham		
Proposal	Demolition of existing two cottages and replacement with two new dwellings		
Applicant	Mr and Mrs Hugh Leventon		
Recommendation	Objections from Parish, Neighbours and Broads Society		
Reason for Referral to committee	Objections from Parish Council, Neighbours and Broads Society		

1 Background

- 1.1 In January 2012 applications were received for the demolition of a pair of cottages (BA/2012/0021/CON) and the erection of a pair of replacement cottages (BA/2012/0020/FUL) at a site within the settlement at Stalham Staithe. A report was presented to the Planning Committee meeting of 30 March 2012 (attached at Appendix 1).
- 1.2 In considering the application members indicated that a site visit would afford a better understanding of the site, the existing dwellings and the landscape context in which the dwellings are located. Accordingly, members resolved to undertake a site visit prior to determination.
- 1.3 Members will undertake a site visit on 20 April 2012.
- 1.4 No further consultation responses have been received to date. The applicant has provided additional information detailing the ownership history of the site and this document is available to view on the Authority's Public Access web pages.

2 Assessment

- 2.1 A full assessment can be found in the report prepared for the 30 March meeting, a copy of this report is attached as Appendix 1.

- 2.2 The main issues to consider in the determination of this application are the impact the loss of the existing cottages would have on the character of the Stalham Staithe Conservation Area, the design, siting and scale of the proposed replacement cottages and the impact the proposed new cottages would have on neighbouring occupiers' amenity.
- 2.3 As reported to the committee on the 30 March, the issue regarding the treatment of waste water (discussed at para 6.23 of the March committee report) has now been resolved, with the applicant confirming the new cottages would be connected to the mains sewer network.

3 Recommendations

3.1 BA/2012/0021/CON - Application for Conservation Consent

Approve subject to conditions:

- Time limit.
- Prior to demolition no development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording in accordance with a brief issued by the Historic Environment Service.
- All demolition works hereby approved shall be carried out in accordance with section 8 of the approved Protected Species Survey.

3.2 BA/2012/0020/FUL – Application for erection of replacement cottages

Approve subject to conditions:

- Time limit.
- In accordance with approved plans.
- Prior to demolition no development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording in accordance with a brief issued by the Historic Environment Service.
- Prior to commencement of works details of protected species enhancements to be submitted to and approved in writing by the Local Planning Authority.
- Prior to commencement of works details of external materials including sections through joinery.
- Remove householder permitted development rights.
- All development carried out in accordance with revised Flood Risk Assessment.

4 Reasons for Recommendations

4.1 BA/2012/0021/CON - Application for Conservation Consent

It is not considered that the cottages are so significant to the character of the Conservation Area that their demolition and replacement with a suitably designed property would be unacceptable. Consequently, it is

considered that the application for Conservation Area Consent is in accordance with PPS5 and policy DP5 of the adopted DM DPD and there is no objection to the granting of Conservation Area Consent for demolition of the cottages.

4.2 **BA/2012/0020/FUL – Application for erection of replacement cottages**

The proposed new cottages are of a scale, mass, height, design and external appearance which is appropriate to the setting and the landscape character of the location, and the design and materials proposed are of a sufficient quality to preserve and enhance the character of the Conservation Area. It is considered that the proposed replacement dwellings would represent an improvement in terms of flood resilience and the Environment Agency has not objected to the proposal. Given this, it is considered that the application for planning consent is in accordance with Policy DP24 and there is no conflict with policies DP28 (amenity) or DP29 (development on sites with a high probability of flooding).

Background papers: Application Files BA/2012/0020FUL and BA/2012/0021/CON

Author: Fergus Bootman

Date of Report: 12 April 2012

List of Appendices: Appendix 1 – Planning Committee Report from 30 March

Report considered by Planning Committee on 30 March 2012

Broads Authority
Planning Committee
30 March 2012

Application for Determination

Parish: Stalham

Reference: BA/2012/0020/FUL & BA/2012/0021/CON **Target Date:** 23/03/2012

Location: Utopia and Arcady, Mill Road, Stalham

Proposal: Demolition of existing two cottages and replacement with two new dwellings

Applicant: Mr and Mrs Hugh Leventon

Reason for referral: Objections from Parish, Neighbours and Broads Society

Recommendation: Approve with conditions

1 Description of Site and Proposals

- 1.1 The application site comprises a pair of semi-detached cottages which sit within a large, irregularly shaped plot which extends to approximately 2.26ha.
- 1.2 The plot is situated in the settlement which centres around Stalham Staithe and has a significant length of water frontage. In addition to the pair of dwellings, the plot also accommodates a garage, a shed, a large boathouse and two private mooring dykes, one of which is partially covered by the boathouse.
- 1.3 The north frontage of the site is bounded by a drain which separates the site from a residential property and a mooring plot. To the east the site is bounded by Stalham Dyke, a navigable stretch of water which extends southwards from the Stalham Staithe Settlement to join the River Ant approximately 1.5km south-west of the site. To the west the site adjoins 4 residential properties and land to the south is undeveloped woodland leading down to another mooring dyke off Stalham Dyke. The site is approximately 250m west of the main Richardsons Boatyard at Stalham Staithe.
- 1.4 The site is accessed via a private drive leading on to Utopia Way.
- 1.5 The site lies outside the development boundary for Stalham and within the Stalham Conservation Area. The site sits largely within Flood Zone 3a.

- 1.6 The existing dwellings date from the late 18th or early 19th century and comprise a subdivided, two storey building. The cottages are predominantly constructed from brick, with large sections of wall also incorporating flint and brick rubble. The roof is red pan tile and windows and doors are painted timber. Both properties have been extended, with a simple 1930's lean-to extension added to the northern gable end of Utopia, and a less sympathetic mono-pitch and flat roof extension from the 1970's on the southern gable of Arcady.
- 1.7 The proposal here is for the demolition of the existing cottages and their replacement with a pair of new cottages. The proposal would not alter the access to the site nor the existing garage, shed or boathouse.

2 Site History

In 2002 consent was granted for replacement quay heading (BA/2002/1652/HISTAP).

In 2004 consent was granted for the erection of replacement boathouse and installation of bank stabilisation and decking (BA/2004/1443/HISTAP).

In 2006 an application for the demolition of cottages and replacement with single two storey dwelling was withdrawn (BA/2006/1207/HISTAP).

In 2006 an application for the erection of a replacement boathouse with holiday unit above was withdrawn (BA/2006/1208/HISTAP).

3 Consultation

Stalham Town Council – Strongly object - concern at overall size and height of proposed dwelling. Not within the style of existing nearby dwellings. Too large for floor area. Flood Zone (sic).

Broads Society – We have no objection to the demolition and replacement of the existing cottages. In our view the proposed Arts and Crafts style is alien to the traditional architecture associated with this part of the broads. Our overall impression of the proposal is that the proposed building is far larger than the existing; if this is true then the new building will be out of scale compared to surrounding properties. However it is impossible to make an accurate assessment in the absence of any dimensions or illustrations comparing existing and proposed. We therefore wish to object to the proposal in its current form.

Environment Agency – No objection, subject to resolution of waste water treatment proposals.

District Councillor, Mr Robert Stevens – The application can be determined by the Head of Development Management (delegated decision).

Norfolk Historic Environment Service – No objection to demolition or proposed replacement. Request a condition requiring photographic survey of building prior to demolition.

4 Representations

11 representations received: five from residents of Stalham, of which four objected to both the demolition and replacement and one objected only to the proposed replacement building. Four representations from other interested individuals, all of whom objected to both the demolition and the proposed replacement. One objection from Campaign for the Protection of Rural England (CPRE) Norfolk, who also object to both the demolition and replacement.

5 Policy

5.1 National Planning Policies

PPS5 – Planning and the Historic Environment.

5.2 Adopted Core Strategy Policies

[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS5 – Historic and Cultural Environments.

5.3 Adopted Development Management DPD Policies

[DMP DPD - Adoption version.pdf](#)

DP4 – Design

DP5 – Historic Environment

DP24 – Replacement Dwellings

DP28 – Amenity

DP29 – Flood Risk.

6 Assessment

6.1 This assessment considers the proposed works in two parts. Firstly the application for Conservation Area Consent which seeks consent for the demolition of the existing building and, secondly, whether the proposed replacement building is acceptable in terms of scale, form, design and with regards to impact on amenity and flood risk.

6.2 PPS5 indicates there should be a presumption in favour of protection of designated heritage assets and specifically includes Conservation Areas in the definition of Designated Heritage Assets. Conservation Areas are defined in legislation as areas of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance. It is notable that the special character of these areas does not come from the quality of their buildings alone. The historic layout of roads, paths and

boundaries; characteristic building and paving materials; a particular 'mix' of building uses and trees which contribute to particular views are all factors which can all contribute to creating the special character of a Conservation Area.

- 6.3 In this instance the building proposed for demolition has no significant historic importance of its own (as confirmed by the consultation response from the Norfolk County Council Historic Environment Service), is not Listed and was not nominated by any party for selection on the Broads Authority Local List, a document which is in the process of being compiled prior to adoption and which all Parish Councils and local residents were invited to contribute to and comment on. The principle question in determining whether or not Conservation Area Consent should be granted is, then, the degree to which the existing building contributes to the special character of Stalham Conservation Area.
- 6.4 The Broads Landscape Character Assessment (2006) recognises the landscape value of the area surrounding the application site, noting the fine grouping of traditional buildings around the staithe. The majority of these buildings remain in boatyard or industrial use; the principle exception being the site of the Museum of the Broads. There is a degree of architectural variety within this waterside grouping and the wider Conservation Area incorporates both domestic and industrial buildings, a mixture of modern and historic properties and a mixed palette of materials.
- 6.5 Whilst falling within the Conservation Area, the building subject of this application is set back from the staithe and is accessed via a private road to the north and a private dyke to the south. The property is not visible from the public highway and is only partially visible from the main dyke leading to Stalham Staithe.
- 6.6 Whilst it is considered that the existing pair of cottages make a positive visual contribution to the character of the Conservation Area, the character of the building has been eroded by a number of unsympathetic extensions and it is clear that the building is in a poor state of repair. The applicant has submitted a structural survey which concludes that if refurbishment is to be considered the roof, first floor and ground floor would need to be raised and replaced, the windows and doors would need replacement/remodelling, the external walls would need underpinning, strengthening, repairs and damp proofing and the extensions to the north and south gable ends would require reconstruction. Clearly, the implementation of this level of work would affect the character and appearance of the building and, in the absence of Listed status, the Local Planning Authority would have a limited degree of control over such works.
- 6.7 Having regards to the variety of built form within the Conservation Area, the secluded nature of the application site and the poor condition and unsympathetic alterations made to the cottages, it is not considered their loss would have an unacceptable impact on the appearance of the Conservation Area. Whilst the existing cottages make a contribution to the area and their

loss would in some respects be regrettable, it is not considered that the cottages are so significant to the character of the Conservation Area that their demolition and replacement with a suitably designed property would be unacceptable.

- 6.8 It has been stated in letters of objection received from local residents and others that the loss of the cottages would not only impact on the appearance of the Conservation Area, but also that the demolition would represent a loss to the cultural history of the area. Local reports suggest that the cottages were used to accommodate wherry pilots and several objectors to the application for demolition have stated that, together with the (now largely demolished) mill and mill house, they form an important grouping of buildings which are part of the cultural heritage of the Conservation Area
- 6.9 Whilst it is acknowledged that these two cottages will have played a role in forming the character of the Conservation Area and stand as part of the cultural heritage of the area, Conservation Areas are not areas where no change is permitted. Rather, they are areas where new development must be of a high standard and respect the special character of the area. In this instance the Norfolk County Council Historic Environment Service have indicated that they have no objection to the demolition of the two properties subject to a condition requiring a photographic survey. Having regards to this and the fact that the cottages have no heritage designation in their own right, it is not considered that there are sufficient grounds on which Conservation Area Consent could be refused and the proposal is considered to be in accordance with both PPS5 and policy DP5 of the Development Management DPD.
- 6.10 Having concluded that, on balance, there would be no objection to the loss of the two existing cottages, consideration must be given to the proposed replacement building.
- 6.11 The proposed new cottages would be semi-detached and comprise a subdivided, two storey building. The cottages would sit partially on the footprint of the existing, but the alignment of the building would be altered to so the front and rear elevations faced north-west and south east respectively, rather than south-west and north-east as the existing cottages do.
- 6.12 The new cottages would be larger than the existing, with a footprint of approximately 205m² compared to an existing building footprint of 137m². The ridge would measure approximately 7.3m high, around 0.9m higher than the ridge of the existing building.
- 6.13 The proposed replacement building has been designed in the Arts and Crafts style; materials would be red brick and cobbled flint quoined brick work, clay plain tiles with timber windows and doors. Materials would be reclaimed from the existing dwelling wherever possible.
- 6.14 Policy DP24 permits replacement dwellings subject to the satisfaction of specific criteria relating to size, location, use and a consideration of the

impacts of loss of the existing dwelling.

- 6.15 With regards to criteria 'a', in respect of scale, mass and height it is the case that the proposed replacement building would be larger than the existing in terms of footprint and with a slightly higher ridge. However, each of the proposed new cottages would be comprised of 3 connected bays, with the central bay protruding beyond the two that flank it. This staggered footprint would help break up the mass of the building, introducing light and shade to the front and rear elevations and thereby reducing the visual mass of the building. A variation in ridge line, with a dominant central ridge and lower ridges to the end bays further aids this reduction in visual mass as would the variation in materials and detailing, albeit from a select palette of materials sympathetic to the Arts and Crafts sensibility of the proposal.
- 6.16 Careful design and detailing can help reduce the visual mass of the building however it remains the case that the proposal would be larger than the existing dwellings and this is a concern raised in the objections received. Policy DP24 does allow for an increase in scale over the existing dwelling provided the revised proposal is appropriate to its setting and the landscape character of the location. In this case the application site is a substantial residential plot and it is not considered that the proposal would result in any overdevelopment of the site. With regards to respecting the surrounding landscape, the proposed replacement building would be no larger in height than a number of substantial dwellings and other buildings more substantial buildings which are visible from the staithe and it is notable that several buildings in the locality incorporate materials similar to those proposed in this application. Considering this, there is no objection to the increase in scale proposed in this application.
- 6.17 Concerns have also been raised regarding the architectural style of the proposed replacement building. Whilst the Arts and Craft style proposed does differ from the more vernacular architecture of the existing cottages (though it is notable that the original cottages have been altered over the years, with the addition of a substantial classical doorcase to the rear elevation and later extensions to each of the gable ends of the building), it is not considered that the style would be incongruous in this location. The Arts and Crafts style is found throughout the Broads and the proposal here incorporates materials and details common to the Stalham Conservation Area into the design.
- 6.18 Having regards to the above, the proposal is considered to satisfy criteria 'a' of policy DP24.
- 6.19 Considering the remaining criteria of the policy, it is the case that the proposed new dwelling would partially occupy the same building footprint as the existing dwelling. Due to an increase in size and reorientation the proposed new building would not be located entirely within the footprint of the existing building; however it is not considered that the proposed revised location would have any detrimental landscape impacts, having regards to the substantial screening of the site provided by boundary planting and

neighbouring properties. With respect to flood risk, the entire site falls within Flood Zone 3a or 3b, so whilst the proposed new cottages would offer benefits in terms of flood resilience (discussed at para 6.22), it is not possible for relocation within the site to have the effect of reducing the risk of flooding.

- 6.20 With respect to criteria 'c' and 'd' of the DP24, there is no dispute as to the lawful residential use of the two existing dwellings and the historic, architectural and cultural significance of the existing dwelling is considered above at paras 6.3 to 6.10. Consequently, it is considered that the proposal satisfies criteria a – d of policy DP24.
- 6.21 Concerns have been raised regarding the potential for the new buildings to have a detrimental impact on neighbouring occupiers' amenity. Whilst these concerns are recognised it is the case that, at 30m to the nearest neighbouring property, the new building would be no closer to any neighbouring property than the existing and having regards to this distance between the properties and the substantial intervening screening planting, it is not considered that the proposal would result in any significant detrimental impact on amenity. Accordingly, it is considered that the development would be in accordance with policy DP28.
- 6.22 In respect of flood risk, the applicants have submitted a comprehensive site specific flood risk assessment which concludes that the development would be safe and would not increase the risk of flooding elsewhere. Following negotiations with the Environment Agency the applicant has amended the design and the Agency is now satisfied that the proposed new dwellings would offer an improvement in terms of flood resilience over the existing dwellings. The Environment Agency has considered the application and have no objection to the proposal on the grounds of flood risk. The development is considered to satisfy the requirements of the Sequential Test and, consequently, is in accordance with policy DP29.
- 6.23 In response to consultation the Environment Agency raised an objection to the proposed development as the scheme proposed connection to a private treatment plant rather than the main sewer network, and provided no explanation as to why the private treatment plant was preferable to mains sewerage. To address these concerns the applicant indicated they would be happy to amend the scheme and connect to the mains sewers and explained that a private treatment plant was only proposed due to there being a history of problems with the sewerage in this locale. The Environment Agency have considered this response and have advised that Anglian Water Services (the infrastructure provider) be consulted to confirm the proposed development would not result in network capacity issues. Regrettably, this process of consultation and re-consultation has taken some time and at the time of writing, there has been no response from Anglian Water Services. Consequently, in addition to a recommendation of approval delegated authority is sought to resolve this issue of waste water treatment, with the resolution either being the Environment Agency agreeing that a private treatment plant is required or Anglian Water Services confirming that connection to the mains sewerage network would cause no capacity issues.

7 Conclusion

- 7.1 This report considers two applications for works at a residential plot at Stalham Staithe. The first application seeks Conservation Area Consent for the demolition of two cottages; the second seeks planning consent for the construction of a replacement pair of cottages.
- 7.2 The issue as to whether Conservation Area Consent should be granted for the demolition of the two cottages is contentious, and it is acknowledged that the existing cottages make a positive contribution and are a familiar feature within the Conservation Area of Stalham Staithe. However, the cottages enjoy no local or national heritage designation, are in a very poor condition and have been extended in an unsympathetic manner. Having regards to these factors, and the considering that views of the cottages from either the public highway or the water are extremely limited, it is not considered that the cottages are so significant to the character of the Conservation Area that their demolition and replacement with a suitably designed property would be unacceptable. Consequently, it is considered that the application for Conservation Area Consent is in accordance with PPS5 and policy DP5 of the adopted DMDPD and there is no objection to the granting of Conservation Area Consent for demolition of the cottages.
- 7.3 With regards to the proposed replacement cottages, it is considered that, although larger than the existing, the proposed new cottages are of a scale, mass, height, design and external appearance which is appropriate to the setting and the landscape character of the location, and the design and materials proposed are of a sufficient quality to preserve and enhance the character of the Conservation Area. It is considered that the proposed replacement dwellings would represent an improvement in terms of flood resilience and the Environment Agency has not objected to the proposal. Given this, it is considered that the application for planning consent is in accordance with Policy DP24 and there is no conflict with policies DP28 (amenity) or DP29 (development on sties with a high probability of flooding).

8 Recommendation

- 8.1 BA/2012/0021/CON - Application for Conservation Consent: Approve subject to conditions:
- Time limit.
 - Prior to demolition no development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording in accordance with a brief issued by the Historic Environment Service.
 - All demolition works hereby approved shall be carried out in accordance with section 8 of the approved Protected Species Survey.
- 8.2 BA/2012/0020/FUL – Application for erection of replacement cottages: Approve subject to the following conditions and resolution of the issue of waste water treatment (see para 6.23):

- Time limit.
- In accordance with approved plans.
- Prior to demolition no development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording in accordance with a brief issued by the Historic Environment Service.
- Prior to commencement of works details of protected species enhancements to be submitted to and approved in writing by the Local Planning Authority.
- Prior to commencement of works details of external materials including sections through joinery to be submitted to and approved in writing by the Local Planning Authority.
- Remove householder permitted development rights.
- All development carried out in accordance with revised Flood Risk Assessment.

9 Reasons for Approval

9.1 BA/2012/0021/CON - Application for Conservation Consent

It is not considered that the cottages are so significant to the character of the Conservation Area that their demolition and replacement with a suitably designed property would be unacceptable. Consequently, it is considered that the application for Conservation Area Consent is in accordance with PPS5 and policy DP5 of the adopted DM DPD and there is no objection to the granting of Conservation Area Consent for demolition of the cottages.

9.2 BA/2012/0020/FUL – Application for erection of replacement cottages

The proposed new cottages are of a scale, mass, height, design and external appearance which is appropriate to the setting and the landscape character of the location, and the design and materials proposed are of a sufficient quality to preserve and enhance the character of the Conservation Area. It is considered that the proposed replacement dwellings would represent an improvement in terms of flood resilience and the Environment Agency has not objected to the proposal. Given this, it is considered that the application for planning consent is in accordance with Policy DP24 and there is no conflict with policies DP28 (amenity) or DP29 (development on sites with a high probability of flooding).

Background Papers: BA/2012/0020/FUL & BA/2012/0021/CON

Author: Fergus Bootman

Date: 14 March 2012

Appendices: APPENDIX 1 – Location Plan

APPENDIX 1

BA/2012/0020/FUL & BA/2012/0021/CON - Utopia And Arcady, Mill Road, Stalham
Replacement of existing cottages Utopia & Arcady with 2 new cottages

