

## **Application for Determination**

<b>Parish</b>	Horning		
<b>Reference</b>	BA/2011/0256/FUL	<b>Target date</b>	9 November 2011
<b>Location</b>	The Pyramids, 78 Lower Street, Horning		
<b>Proposal</b>	Erection of replacement dwelling, new boathouse and new and replacement quayheading (resubmission of BA/2011/0087/FUL)		
<b>Applicant</b>	Ferry Marina		
<b>Recommendation</b>	Approve subject to conditions		
<b>Reason for referral to Committee</b>	Objections received		

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

- 1.1 The application site is that of a former detached dwellinghouse at The Pyramids, 78 Lower Street, Horning. The detached dwelling was located in the south-eastern corner of the plot which extends approximately 85 metres between the River Bure and Lower Street. A mature mix of trees and vegetation screen the site from Lower Street; however the original dwelling was prominent from the river. The dwelling was demolished in 2011 under an extant Conservation Area consent (BA/2010/0152/CON).
- 1.2 The site sits within a line of riverside development that varies in character with finely grained development of dwellings on plots extending between the road and river to the north, to more open sites of dwellings sitting within larger plots set back further from the river to the south. Mature trees, dykes and lagoons are significant features of the character of the area and the densely vegetated nature of the application site in its present state, and in particular the mature trees to the west of the site, make a positive contribution to this character.
- 1.3 The application site is in the Horning Conservation Area, within the development boundary and in flood risk zone 3b.
- 1.4 The application proposes a replacement dwelling of a revised design to one previously approved (BA/2010/0151/FUL). It would have the same footprint and the same number of bedrooms as the existing and previously approved dwellings. The dwelling would be sited in the southwest corner of

the site, further back from the river and southern site boundary than the original dwelling. The footprint would measure 7.7 metres by 12 metres and a boathouse would be attached by a single storey link to the north. The gabled dwelling roof would be at approximately 7.6 metres above ground level with dormers in each roof slope. The west (river) elevation of the dwelling would be largely glazed and at first floor level there would be a cantilevered balcony. The dwelling would have a finished ground floor level of 1.63 metres AODN, 0.9 metres higher than the existing and a number of flood proofing measures are proposed.

- 1.5 The boathouse would sit at approximately 45 degrees to the dwelling and measure approximately 6.5 metres by 13.5 metres over a wet dock, part of which is existing but would involve further excavation and new quayheading. The boathouse would have a ridge height of approximately 5.5 metres and the single storey link, which would measure 7.5 metres on the west elevation, would have a low pitched roof.
- 1.6 The proposed materials are stained timber boarding to the walls, artificial slates on the dwelling and boathouse roofs, profiled steel to the link roof and timber windows. Decking would surround the dwelling on the north, south and west elevations and an existing area of mooring cut to the east would be covered over.
- 1.7 The dwelling would share an access with the two dwellings to the north which are in the same ownership, rather than use the existing access and a new driveway would cross a dyke with a new vehicular bridge, to access a parking and turning area immediately to the east of the dwelling. The drive and parking area are proposed to be constructed from hazel faggots and wood chippings/sawdust.
- 1.8 An existing mooring cut which enters the site at the northwest corner on a northwest-southeast axis would be extended on each side and an additional mooring space would be excavated on the southern side of a private dyke which runs along the northern site boundary. All existing quayheading, except that on the river frontage, would be replaced.
- 1.9 A total of twenty individual trees and one group of trees are proposed to be removed from this heavily treed site. This figure includes 11 trees which have assessed as 'Category R' in accordance with the British Standard (BS5837:2005) and are not considered worthy of retention, but also includes two individual trees which have been assessed as 'Category A' and are of high quality and value.
- 1.10 Metal railings exceeding one metre in height have been erected along the road frontage of the site. These do not have the benefit of planning permission and are proposed to be removed.

## **2 Site History**

In 2008 planning permission was granted for the replacement of quayheading along the river frontage (BA/2008/0226/FUL).

In 2010 applications for Conservation Area consent for the demolition of the existing dwelling and planning permission for the erection of a replacement dwelling were approved (BA/2010/0151/FUL and BA/2010/0152/CON). The approved dwelling was a like-for-like replacement in terms of footprint and number of bedrooms, but did represent an increase in scale due to the addition of first floor accommodation within the roofspace. The replacement dwelling and associated works to the site were considered to preserve and enhance the character and appearance of the Horning Conservation Area. The Conservation Area consent has been implemented as the original dwelling has been demolished. No work has commenced on the construction of a replacement dwelling.

In March 2011 a planning application for a replacement dwelling of a revised design was submitted (BA/2011/0087/FUL). This application was subsequently withdrawn pending further negotiation and information.

## **3 Consultation**

*Broads Society* – Object. Concerned about overall footprint of the replacement dwelling and boathouse being too large for this site and the boathouse being too large with an unsightly massive expanse of roof.

*Parish Council* – No response.

*District Member* – No response.

*Environment Agency* – No objections, recommend conditions on finished floor levels and flood response plan.

*Highways Authority* – No objections, recommend conditions on parking, visibility splay and gates.

## **4 Representations**

- 4.1 One representation received concerned about fence that has been erected across site and its effect on parking on Lower Street.

## **5 Policies**

- 5.1 **Broads Core Strategy adopted September 2007**  
[Core Strategy \(Adopted Sept 2007\).pdf](#)

CS1 – Landscape

CS20- Rural Sustainability.

**5.2 Development Management Policies DPD adopted November 2011**  
[DMP DPD - Adoption version.pdf](#)

DP1- Natural Environment  
DP2 – Landscape and Trees  
DP4 – Design  
DP5 – Historic Environment  
DP11 – Access on Land  
DP13 – Bank Protection  
DP22 – Residential Development within Defined Development Boundaries  
DP28 – Amenity.

**6 Assessment**

- 6.1 The application proposes the replacement of a recently demolished dwelling and represents a revised proposal from the previously approved replacement dwelling. The principle of a replacement dwelling here has been established and although the policies against which the previous permission was assessed have been superseded, the site is within the development boundary and the principle of a replacement dwelling is acceptable in accordance with Policy DP22 of the Development Management Policies DPD and the National Planning Policy Framework.
- 6.2 The key considerations in the determination of this application are the design, scale, form and materials of the proposals and the impacts on the character and appearance of the Conservation Area, amenities, trees, flood risk, highways, navigation and protected species.
- 6.3 The proposed dwelling, excluding link and boathouse, although on the same footprint as the original, is substantially larger in scale due to the addition of first floor accommodation, which itself is larger than that previously approved. However, this is largely contained within the roof space and the gable faces towards the river which reduces the visual mass from this aspect. It is recognised that the plot is large; however the depth of the plot is not perceived from the river where the development would be seen in relation to the narrower width of the plot. The dwelling would be set further back from the river than the original and the increase in the scale and mass of the dwelling above the original is not considered to be inappropriate given the scale of the plot and setting of the development.
- 6.4 In addition to the dwelling, a linked boathouse is proposed. The boathouse is of a similar footprint to the proposed dwelling with the ridge approximately 2 metres lower. Whilst there is no objection in principle to the erection of a boathouse within the curtilage, the linking of the two buildings greatly increases the scale and mass of the development and the boathouse and dwelling would be read as one building. The angled orientation of the boathouse does mitigate the visual mass by providing a degree of separation between the two buildings and the scale of the boathouse and link and their

relationship with the dwelling are the result of detailed negotiations in response to concerns about the overall scale and mass of the proposals.

- 6.5 The desire to retain an attached boathouse as part of the proposal is appreciated. Amendments have been made to reduce the scale and mass of the boathouse and link, including the removal of a sail loft and balcony, and it is considered that the boathouse is now a more subservient element of the proposal than originally proposed. It is accepted that the scale and mass of the proposal remain much greater than the original dwelling and previously approved scheme, however Policy DP4 requires development to be of a scale and mass appropriate to the local context and surrounding streetscape and waterscape character. Whilst this site sits at a transitional point in the riverfront development of this part of Horning, with development to the east tending to be smaller in scale and with a more rural character, it is recognised that there are substantial dwellings in the area and that the application site is large and could accommodate a development larger than the original dwelling. On balance it is not considered that the attached dwelling and boathouse would be of an inappropriate scale and mass to its setting and that it would not fail to preserve the character and appearance of the Conservation Area.
- 6.6 The proposed materials are broadly acceptable, although it is not considered that artificial slate is the most appropriate material for the large expanses of roof. However, the precise details of these materials can be agreed by condition should permission be granted.
- 6.7 It is noted that the majority of trees on the eastern side of the plot and along the roadside would be retained which would maintain the current wooded character and largely screen views of the proposed development from the road and this is welcomed. The application does, however, propose the removal of a large number of trees at the river end of the site to facilitate the proposed siting of the dwelling and boathouse and extension of the mooring cut. It is appreciated that the site has not been occupied for some time and has become overgrown and a number of minor trees were agreed to be removed under the previous permission. The current proposal does, however, include the removal of two significant 'Category A' willow and alder trees located around the existing mooring cut which individually, and cumulatively with the other trees on site, make a positive contribution to the character of the site and surrounding area.
- 6.8 Their loss would be regrettable, but in accordance with Policy DP2 development proposals, where appropriate, should include replacement tree planting of a value commensurate or greater to that which is to be lost. A total of 12 new willow, alder and birch trees are proposed around the mooring cut and along the southern site boundary. The siting, species and sizes of these trees are considered to be appropriate and would adequately compensate for the loss of the existing trees, in accordance with Policy DP2. Whilst a large number of trees would be lost, some of these do not make any significant contribution at present and it is considered that subject to the proposed replacement planting, the wooded

character of the site and the overall character and appearance of the Conservation Area would be preserved. Given that the site is within a Conservation Area, any further tree work or felling would require consent from the Local Planning Authority.

- 6.9 Further information on the impact of the development on the trees to be retained is awaited.
- 6.10 The proposed replacement dwelling would have first floor windows in each side elevation, however, these would be to bathrooms and it is considered necessary that, should planning permission be granted, these should be obscure glazed to mitigate any impacts on adjoining occupiers. First floor windows to two bedrooms on the north elevation are also proposed, from which it is considered that there would be oblique views of the curtilage of the dwelling to the south but it is not considered that these would result in any significant loss of privacy or overlooking. The proposal is therefore not considered to result in any unacceptable impacts on adjoining occupiers.
- 6.11 The dwelling would have the same footprint and same number of bedrooms as the original, representing a like for like replacement. The dwelling would be erected on piles to allow water to flow beneath, incorporate flood proofing measures and the finished ground floor level would be above the predicted flood level. First floor accommodation would offer a safe refuge in the event of a flood and it is considered necessary to condition the submission of a flood response plan. The proposal is therefore considered to be in accordance with the Authority's adopted Development and Flood Risk Supplementary Planning Document and the National Planning Policy Framework in this respect. It is considered necessary to append a condition to any permission preventing use of the link or boathouse for overnight accommodation to maintain control of the level of residential accommodation in the interests of flood safety.
- 6.12 A Protected Species Survey has been submitted which found no evidence of protected species on the site and that, subject to mitigation measures, the proposed development should not disturb or harm any protected species. The previous permission included a condition requiring bat and bird boxes to be installed and it is considered necessary for a similar condition to be appended, should permission be granted for this revised proposal.
- 6.13 The application proposes sharing an access with the two dwellings to the north and this is acceptable to the Highways Authority, subject to the provision of a visibility splay, which has been indicated on the proposed plans, and other conditions. The existing unauthorised fence encroaches on the proposed visibility splay and is not considered visually appropriate to the site or Conservation Area. A condition requiring its removal is therefore also considered necessary should permission be granted.

- 6.14 The alterations to the moorings and quayheading are all within the site, off the main river. It is not considered that these would result in any significant adverse impacts on navigation.
- 6.15 There is an outstanding enforcement file on this site relating to replacement quayheading which was not undertaken in accordance with the planning permission (BA/2008/0226/FUL) and a substantial amount of dredged material was deposited on the bank to such an extent as to amount to land raising which requires planning permission. The application also proposes excavation of large areas to extend the mooring space and new quayheading around these areas. No details have been provided of the quayheading construction, either existing unauthorised or as proposed, or where the excavated material would be removed to. It is therefore considered necessary, should permission be granted, for a condition to require the submission of details of the quayheading construction, all spoil to be removed and landscaping of the areas.

## **7 Conclusion**

- 7.1 The application proposes a revised scheme for a replacement dwelling on this site. The scheme includes a boathouse which would be attached to the dwelling and consequently the scale and mass of the development would be much larger than both the original dwelling and previously approved scheme. On balance, given the scale of the plot itself, the scale and mass of the proposal are not considered unacceptable and the design, form and materials are not considered inappropriate or to adversely affect the Conservation Area.
- 7.2 The proposal would reduce the tree cover on site and remove two individually significant trees. Appropriate replacement tree planting is proposed and it is considered that in the long-term this would compensate for the loss of these trees and soften the impact of the development.
- 7.3 It is not considered that the proposal would result in unacceptable impacts on amenities or adversely affect highways, navigation, protected species or flood risk.

## **8 Recommendation**

- 8.1 Approve subject to the following conditions:
- Standard time limit.
  - In accordance with submitted plans.
  - Sample of materials.
  - Section plan of quayheading.
  - Quayheading to be tanalised timber.
  - Scheme for alterations to mooring cut, including details of spoil disposal and changes to levels.
  - Plans and details of new vehicular and pedestrian bridges
  - Bat and bird boxes.
  - Landscaping scheme and management plan.

- Any new tree or shrub which within 5 years of planting, dies, is removed, or becomes diseased shall be replaced.
- Arboricultural protection measures and method statement.
- Minimum finished floor level.
- Flood response plan to be submitted.
- Flood proofing measures to be completed prior to first occupation.
- Parking and turning area to be completed prior to first occupation.
- Provision of visibility splay.
- Removal of railings prior to first occupation.
- Access gates or other means of obstruction.
- Obscure glazing to first floor bathroom windows.
- Boathouse and link to be used incidental to dwelling only, and not for overnight accommodation.
- Remove permitted development rights.

## **9 Reason for Recommendation**

- 9.1 The proposal is considered to be in accordance with Policies DP1, DP2, DP4, DP5, DP11, DP13, DP22 and DP28 of the adopted Development Management Policies DPD (2011), Policies CS1 and CS20 of the adopted Core Strategy (2007) and the National Planning Policy Framework.

Background papers: Planning File BA/2011/0256/FUL

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List of Appendices: APPENDIX 1 Location Plan



## APPENDIX 1

BA/2011/0256/FUL – The Pyramids, 78 Lower Street, Horning  
Resubmission of pp BA/2011/0087/FUL for the demolition of existing and erection of replacement dwelling, new boathouse and new and replacement quay heading

