

BRECKLAND COUNCIL

Elizabeth House, Walpole Loke, Dereham, Norfolk, NR19 1EE. Tel. (01362) 656873

Planning Permission

THIS IS A HOUSEHOLDER DECISION NOTICE. PLEASE SEE NOTES ATTACHED

Name and Address of Applicant	Location of proposal	Reference No.
Mr & Mrs Nicholas Lillie The Gables Fen Road Blo' Norton, Diss Norfolk IP22 2JH	BLO' NORTON The Gables Fen Road	3PL/2015/1440/F
Name and Address of Agent	Description of Proposal	Date of decision
Mr & Mrs Nicholas Lillie The Gables Fen Road Blo' Norton, Diss Norfolk IP22 2JH	Erection of whole first floor extension to create two storey dwelling	26 January 2016

This decision is made subject to the following CONDITIONS -

1. The development must be begun not later than the expiration of THREE YEARS beginning with the date of this permission.
Reason for Condition:
As required by section 91 of the Town and Country Planning Act 1990.
2. The development must be carried out in strict accordance with the application form, and approved documents and drawings as set out below:
Drawing number AP.11 received 10th December 2015.
Additional letter from applicants received 5th January 2016.
Reason for condition:-
To ensure the satisfactory development of the site.
3. The development hereby permitted shall be constructed using the materials specified on the planning application form and / or submitted drawings.
Reason for condition:-
To enable the Local Planning Authority to ensure the satisfactory appearance of the development, as required by policies DC 1 & DC 16 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.


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4. Notwithstanding the provisions of Class A & C of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order)(with or without modification), there shall be no additional window or other opening constructed at first floor level or above in the east and west elevations of the development or enlargement or alteration of permitted openings hereby approved without the prior written permission of the Local Planning Authority.

Reason for condition:-

To help safeguard the privacy and amenity of the occupiers of adjacent properties in accordance with Policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

5. The velux roof lights in the north elevation hereby approved shall be obscure glazed to a specification of not less than the equivalent of classification 5 of Pilkington Glass and shall be retained in situ in accordance with the approved drawings unless otherwise first agreed in writing by the Local Planning Authority.

Reason for condition:-

To prevent overlooking and to protect the amenity and living conditions of adjacent residential property, as required by policy DC1 of the Adopted Core Strategy and Development Control Policies Development Plan Document 2009.

6. NOTES:

Any variation from the approved plans following commencement of the development, irrespective of the degree of variation, will constitute unauthorised development and may be liable to enforcement action.

You or your agent or any person responsible for implementing this permission should inform the Development Control Section immediately of any proposed variation from the approved plans and ask to be advised to the best method to resolve the matter. Most proposals for variation to the approved plans will require the submission of a new planning application.

7. If the formal discharge of any condition is required, it will be necessary for you to submit to the Council all relevant details, together with a completed application for the "Discharge of Conditions" and the fee as appropriate.

8. The Local Planning Authority has acted positively and proactively in determining this application and by assessing the application against all material considerations, including national guidance, planning policies and representations that have been received during the public consultation exercise and subsequently determining to grant planning permission within the statutory timeframe in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Copies of all documentation submitted in connection with this application can be viewed online at <http://www.breckland.gov.uk/content/planning-search-0>


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9. Appeals against planning decisions

If you are aggrieved by the decision of your local planning authority to attach any particular condition/s to this permission, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.


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NOTES RELATING TO PLANNING DECISIONS

Purchase Notices

If permission to develop land is refused or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for the Environment, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county or borough or county district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part V1 of the Town and Country Planning Act 1990.

Compensation

In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him.

The circumstances in which such compensation is payable are set out in section 114 and related provisions of the Town and Country Planning Act 1990.

Disabled Persons

Your attention is drawn to the following provisions for disabled persons required under section 76 of the Town and Country Planning Act 1990.

In respect of new developments for buildings to which the public are to be admitted, and for developments relating to offices, shops, railway premises and factories, reference should be made to the provisions of Sections 4, 7 & 8a of the Chronically Sick and Disabled Persons Act 1970, and to the British Standards Institution Code of Practice BS 8300:2009 - Design of Buildings and their approaches to meet the needs of disabled people. Your attention is also drawn to the provisions of the Disability Discrimination Act 1995.

Buildings Regulations

There are many cases when approval under the BUILDING ACT and/or the BUILDING REGULATIONS may be required. If you have not already made the necessary applications, you are advised to check with my Building Control Section, to see if such an application is required.

Other Legislation

There may be other legal requirements with which you must comply before you start any construction, and I suggest that you take appropriate legal advice.

If you have any questions relating to this decision please contact Mike Brennan (Operations and Contract Manager) e-mail: mike.brennan@breckland.gov.uk


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OFFICER DELEGATED REPORT - 3PL/2015/1440/F

ITEM	1	RECOMMENDATION : APPROVAL
REF NO:	3PL/2015/1440/F	CASE OFFICER: Sandra Bunning
LOCATION:	BLO' NORTON The Gables Fen Road	APPN TYPE: Full POLICY: Out Settlemt Bndry ALLOCATION: N CONS AREA: N TPO: N LB GRADE: N
APPLICANT:	Mr & Mrs Nicholas Lillie The Gables Fen Road	
AGENT:	Mr & Mrs Nicholas Lillie The Gables Fen Road	
PROPOSAL:	Erection of whole first floor extension to create two storey dwelling	

KEY ISSUES

Scale, design and materials appropriate to dwelling and locality
Visual impact
Impact on neighbour amenity

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for the erection of first floor extension to create a two storey dwelling, with internal alterations. The first floor extension would increase the overall height from 5m to 7.5m, with 4 dormer windows to the front elevation and one dormer window and two velux rooflights to the rear elevation. It is proposed to construct the first floor extension to match the existing dwelling, being light pink colourwashed walls and brown concrete roof tiles.

SITE AND LOCATION

The Gables is a detached single storey residential dwelling situated outside of any defined settlement boundary. The dwelling sits within a modest plot with long rear garden enclosed by fencing and hedging. Residential dwellings border the side to the east and west, highway to the south and open land to the north.

EIA REQUIRED

No

RELEVANT SITE HISTORY

No relevant site history

POLICY CONSIDERATIONS

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The following policies of the adopted Breckland Core Strategy and Development Control Policies & the adopted Site Specific Policies & Proposals Document, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework & National Planning Practice Guidance have also been taken into account, where appropriate

DC.01	Protection of Amenity
DC.03	Replacement Dwellings and Extensions in the Countryside
DC.16	Design
NPPF	National Planning Policy Framework
NPPG	National Planning Practice Guidance

CIL / OBLIGATIONS

Not applicable

CONSULTATIONS

Blo Norton Parish Council Support this application

Norfolk County Council Highways The parking area is of sufficient size to cater for the increase in size of the dwelling and I would therefore not wish to raise a highway objection.

REPRESENTATIONS

One letter of support, 3 generations of family who live in the village, looking to extend the property to accommodate them, not building to sell.

Objection letters from the neighbour immediately adjacent to the west at Fordhams Mill Cottage, raising concerns and issues with regards to the impact on their property including overshadowing overlooking, loss of light and property devaluation.

ASSESSMENT NOTES

The principle of the work proposed is acceptable in planning terms. The scheme complies with the general principles of policies DC1, DC3, DC16 and the NPPF/NPPG.

Policy DC16 seeks to ensure the highest standards of design are achieved in all new development. The proposed development represents an acceptable design outcome for the following reasons:

- the siting of the development is well considered having regard to its immediate built form context;
- the scale, form and profile of the development is respectful of the host building and character of the broader locality;
- finishing materials, fenestration pattern and design detailing is not out of keeping with the host

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building and character of the broader locality;

- the development will not appear overly prominent in views from public or private vantage points and in so doing will not result in an adverse character outcome.

In light of the above observations it is concluded that the proposal responds favourably to Policy DC 16.

Policy DC 1 seeks to protect residential amenity. The comments made by the neighbouring residents at Fordhams Mill Cottage have been carefully assessed and considered. Having regard to the following factors it is considered that the amenity impact on the neighbouring property is not unacceptable:

- the western flank wall is offset from the adjacent dwelling by 5 metres at its narrowest point, this setback mitigates the visual bulk impact on the occupiers of Fordhams Mill Cottage;
- the western flank wall, whilst one and half storeys in height, incorporates a pitched roof which reduces the bulk and mass of the extension;
- the orientation of the extension to neighbouring properties is such that the majority of shadow cast will not be over neighbouring gardens. Where shadow will fall over the neighbouring property, the extent of shadow cast will be minimal relative to the generous proportions of the neighbouring rear garden;
- the extension is to be finished in materials to match existing, softening the visual impact of the proposal;
- the siting of the extension relative to the location of the neighbouring dwellings is such that it will not dominate any outlook of neighbouring properties to an unacceptable degree;
- the high level roof lights in the rear elevation ensures there will be no unreasonable overlooking impact on the neighbouring properties, particularly as these will be obscure glazed (to be required by planning condition);
- the proposed upper floor bedroom (4) window will not unreasonably overlook the rear garden of Fordhams Mill Cottage owing to the oblique angle of the window to the neighbouring rear garden area;
- the extension will be clearly visible and alter views from a kitchen window at Fordhams Mill Cottage, however the impacted window is a secondary window serving the kitchen. Another window provides the principal outlook from the kitchen and the proposed extension does not compromise the outlook from that principal window.
- the side bedroom window at Fordhams Mill Cottage retains sufficient daylight access and outlook owing to the separation distance between the window and the proposed extension.

None of the above factors in isolation warrant the proposal acceptable, but rather it is the combination of the above factors that indicates that the amenity interface with Fordhams Mill Cottage will be an acceptable one.

The amenity interface to the east (plot occupied by 'The Bungalow') is also an acceptable one given the separation distance between the extension and the existing dwelling. It is noted there are no proposed first floor windows in the proposed eastern first floor wall, ensuring no overlooking of The Bungalow.

Property devaluation is raised as a neighbour concern. Property devaluation is not a material planning consideration.

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The size and design of the proposed extension are appropriate to the landscape character to the location and therefore consistent with Policy DC3.

Conditions will be appended to the decision notice to remove permitted development rights in respect to additional first floor windows in the western and eastern elevations and to ensure obscure glazing is fitted to the rear rooflights.

In consideration of the above, the application is recommended for approval.

RECOMMENDATION

Planning Permission

CONDITIONS

- 3007** Full Permission Time Limit (3 years)
- 3047** In accordance with submitted
- MT02** External materials as approved
- PD01** No additional windows at first floor
- DE10** Obscure glazing
- 4000** Variation of approved plans
- 3996** Note - Discharge of Conditions
- 2000** NOTE: Application Approved Without Amendment
- 2011** Criterion B - Householder - Where Approved