

ITEM:		RECOMMENDATION: REFUSAL
REF NO:	3PL/2023/0117/HOU	CASE OFFICER Katie Arnold
LOCATION:	HOLME HALE Hunters Lodge Hale Road	APPNTYPE: Householder
APPLICANT:	Dickerson C/O Anglia Design LLP 11 Charing Cross	POLICY: Out Settlemnt Bndry
AGENT:	Anglia Design LLP 11 Charing Cross Norwich	CONS AREA: N
PROPOSAL:	Two storey annex side extension, front bay extension and single storey side extension.	
		LB GRADE: N
		TPO: N

REASON FOR COMMITTEE CONSIDERATION

The application is being referred to Planning Committee following Chairman's Panel having been called in by a local ward member.

KEY ISSUES

The application is brought before Chairman's Panel due to interest in the application from the Local Ward Member.

Scale, size and design of proposed two storey annex extension and other extension elements
Impact on neighbour amenity
Highway issues

DESCRIPTION OF DEVELOPMENT

This application seeks planning permission for the erection of a two storey side extension to create an annexe. The proposal also seeks permission for a single storey front bay extension to the existing lounge and a single storey side extension to increase the size of the existing study.

SITE AND LOCATION

The application site is at Hunters Lodge, Hale Road in Holme Hale. It is a two storey, detached residential dwelling located in Holme Hale. It is located outside any defined settlement boundary and has minimal development in the surrounding area. There are 3 other properties to the south of the site. The main development of Holme Hale is 850m to the north of the site and the main development of Ashill is 775m south of the site.

RELEVANT SITE HISTORY

3PL/2017/0205/HOU	Permission	06-04-17
First floor extension over extg rear section and new detached carport		
3PL/2018/0216/F	Permission	18-04-18
Small stable block		
3PL/2019/0730/HOU	Permission	06-08-19
Extend & link existing garage to dwelling to create living accommodation		
3PL/2020/0352/F	Permission	03-06-20
New menage area with field shelters.		
3PL/2020/1268/F	Permission	09-02-21
New Barn for storage of animal feed, hay, straw and machinery.		

POLICY CONSIDERATIONS

The following policies of the Breckland Local Plan, including the Proposals Maps, have been taken into consideration in the determination of this application. The provisions of the National Planning Policy Framework and National Planning Policy Guidance have also been taken into account, where appropriate

COM01	Design
COM03	Protection of Amenity
GEN01	Sustainable Development in Breckland
GEN02	Promoting High Quality Design
GEN03	Settlement Hierarchy
GEN05	Settlement Boundaries
HOU01	Development Requirements (Minimum)
HOU02	Level and Location of Growth
HOU05	Small Villages and Hamlets Outside of Settlement Boundaries
HOU06	Principle of New Housing
HOU11	Residential Replacement, Extension and Alteration
NPPF	National Planning Policy Framework (Revised 2021)
NPPG	National Planning Practice Guidance
TR01	Sustainable Transport Network
TR02	Transport Requirements

CONSULTATIONS

HOLME HALE P C

Holme Hale Parish Council objects to this application on the grounds that: The proposed extension is too large for the intended purpose. The extension needs to be repositioned in relation to the original building so as to cause less of a visual impact to the surrounding area. At present, it would be far too intrusive into the character of the local area.

REPRESENTATIONS

21 day consultation expired (03.3.23)
Parish Council extension of time expired (07.3.23)
Weekly list expired (10.3.23)
Site notice expired (08.3.23)
Six neighbours consulted; no representations received to date.

ASSESSMENT NOTES

1.0 Principle of development

1.1 The proposed two storey annexe would consist of a large lounge, kitchen/dining room, utility room and WC at ground floor level and two bedrooms both with en-suites at first floor level. The Annexe would be occupied by the applicant's elderly parents. The proposal also seeks permission for a single storey front bay extension to the existing lounge and a single storey side extension to increase the size of the existing study.

1.2 Proposals for residential annexes are generally supported provided that the accommodation is well related to the main dwelling and the scale of the annexe is appropriate to and does not dominate the existing dwelling. To ensure that proposals for annexes are genuine efforts to provide additional accommodation and not an attempt to develop self-contained units, it is important to consider design, layout, scale and the relationship to the existing dwelling. Any unit should consist of not more than the minimum level of accommodation required to support the needs of the occupant and not constitute a new or independent dwelling.

1.3 A recently dismissed appeal decision is considered to be an other material consideration in the determination of this application, especially given the lack of a specific policy with regards to annexe in the adopted Local Plan, reference APP/F2605/W/21/3266251, planning application reference 3PL/2020/0802/HOU. This appeal, dated 9th July 2021, from Breckles Gate, Wretham Road, Great Hockham, with regards to a 'one-bedroom annexe', the appeal Inspector considered '*whether the proposed accommodation would be an annex or an independent dwelling, and if the latter, whether a new dwelling would be appropriate having regard to the spatial strategy in the development plan*'. The Inspector stated:

1.4 'It is a matter of fact and degree whether the proposed development would be an annex or an independent dwelling. In assessing this it is necessary to consider whether the proposed building could function as an annex. It does not necessarily follow that because the proposed building is capable of independent accommodation it would not, or could not, be occupied for purposes ancillary to Breckles Gate. That said, there should be functional linkages that require the occupants to have regular contact and interdependence. This can be achieved through the layout, size and design and should make severability

unlikely'.

1.5 Whilst the applicants have indicated a need for an annexe for elderly parents, it is considered that the scale, amount and type of accommodation proposed, and also particularly noting that there is no functional linkage between the proposal and the host dwelling which would require the occupants to have regular contact, means that the proposal is tantamount to that of an independent dwelling.

1.6 Similar to the Inspectors conclusions for Great Hockham, despite the proposal being attached to the main dwellinghouse, there are no linking doorways between the existing dwelling and the proposed extension. The proposals would share an access but it is not uncommon for two separate households to share an access. The outside space is such that it could be used separately to serve two independent dwellings and this would not make for a strong functional link. In addition, the proposal would incorporate a kitchen, bathroom, utility room, dining and living rooms and all the other facilities needed for independent day to day occupation. It may be that the occupants would be permitted to freely move between the dwellings (via external spaces as there are no linking doorways), but they would not need to. The residents could live quite separately. There is nothing of substance demonstrating the occupants of the new building would be dependent on the occupants of the host dwelling, including no evidence of utility bills and services being shared. In light of the above factors, whilst the application does not seek permission for a separate dwelling, the proposal would in effect be tantamount to an independent dwelling and likely to be used as such.

1.7 With regards to providing family accommodation the Inspector stated with regards to the Great Hockham appeal:

'simply being related would not be sufficient to provide functional linkages and nor would occasionally visiting the existing house. Similarly, a functional linkage is not established through ownership. These are factors to weigh but are not determinative in this instance given the size, design and layout the proposed building would have. Thus, the appeal scheme would function and appear as an entirely separate dwelling and therefore it would be remiss not to assess it as such'.

1.8 A similar situation would prevail in this instance also, and would also not demonstrate a functional link given the design, layout and scale of the proposals.

1.9 The scale of the proposals is inappropriate, replicating the scale of the original dwellinghouse, being two stories with excessive living accommodation on the ground floor. No ground floor bedroom is proposed, to future proof the development or appear necessary for elderly parents. Insufficient justification has been provided for additional first floor accommodation, especially given the number of bedrooms available in the host dwelling. Also, completely separate kitchen, living and dining facilities are proposed. The proposal would not appear ancillary to the host dwelling and would have a visual independence due to its scale and design.

1.10 The Inspector for the Great Hockham appeal went on to state:

'The appellant has suggested that a condition could be imposed to ensure the occupation of the new building was ancillary to Breckles Gate. However, it is unclear what 'ancillary' would mean in this context, given that the appeal scheme has been designed to be occupied in a way that would be functionally independently of the main house. Given the design and configuration of the proposal, the occupants of the appeal scheme would likely be in breach of the condition immediately. Moreover, it is of note that there would be no harm to the occupants of Breckles Gate or the proposed building if the appeal scheme were severed and occupied independently. This increases the likelihood that such an event would occur. It would also make enforcement of an occupancy condition very difficult as there would be little 'self-policing'.

1.11 It is considered that this is particularly relevant to this proposal and that it is unlikely that an annexe condition could either be enforced nor would it prevent a future dwelling coming about in this location, contrary to the spatial strategy as set out in Policies GEN01, GEN03, HOU02 and HOU05 of the Breckland Local Plan (adopted 2019).

1.12 The Inspector for the Great Hockham appeal discounted the use of Policy HOU11 of the Breckland Local Plan (adopted 2019) on the basis, that the proposal was for an independent dwelling. It is also considered prudent to apply the same approach to this dwelling, given the above. On that basis, the proposal constitutes the wrong application type, as a householder extension. However, for completeness an assessment is provided below for the principle of a dwelling in this location.

1.13 Homle Hale is identified in the Breckland Local Plan (adopted 2019) as a village without a boundary. As this is the case, Policy HOU05 of the Breckland Local Plan (adopted 2019) applies to the principle of development and sets out that:

1.14 Development in hamlets outside of defined settlement boundaries will be limited, apart from where it would comply with other policies within the development plan and if all of the following criteria are satisfied:

1. The development comprises of sensitive infilling and rounding off of a cluster of dwellings with access to an existing highway;
2. It is of an appropriate scale and design to the settlement;
3. The design contributes to enhancing the historic nature and connectivity of communities; and
4. The proposal does not harm or undermine a visually important gap that contributes to the character and distinctiveness of the rural scene.

1.15 Farmsteads and sporadic small scale groups of dwellings are considered as lying in the open countryside and are not classed as small villages and hamlets. These, and isolated locations in the countryside, are unlikely to be considered acceptable.

1.16 The site is a residential dwelling, known as Hunters Lodge. Sitting on its own, detached from other residential development, which in this area is sporadic, with a combination of dwellings and farm units, with the majority of dwellings being set in large and spacious plots. Given the dwellings stand alone nature then the proposed development would not comprise sensitive infilling or rounding off, contrary to Policy HOU05 of the Breckland Local Plan (adopted 2019). The proposal would neither complete the local road pattern or define and complete the boundaries of the group and as a result the proposal would detract from the settlement in an undesirable way. Therefore, the proposal does not comply with Policy HOU05 of the Breckland Local Plan (adopted 2019) and is not acceptable in principle.

1.17 On the basis of the above, despite a need for an annexe being identified, the scale and size and functional relationship of the annexe to the dwellinghouse is not considered to be acceptable. The proposal also fails to comply with Policies GEN01, GEN03, HOU02 and HOU05 of the Breckland Local Plan (adopted 2019) and on this basis, the proposal is therefore recommended for refusal.

2.0 Design, Scale and Appearance

2.1 Policies GEN02 and COM01 Breckland Local Plan (2019) seeks to ensure the highest standards of design are achieved in all new development.

2.2 Policy HOU11 of the Breckland Local Plan states that "Extensions or alterations to existing residential

properties will be permitted where all the following criteria are met:

A. The extension or alteration is not disproportionate in size in relation to the original dwelling/plot and does not alter substantially the character of the dwelling.

B. The extended or altered dwelling respects the character of the existing dwelling."

2.3 The proposed unit would be set back into the site from the highway, it would be highly visible in the rural area, particularly given the existing low level hedging and trees which run along the front boundary of Hale Road.

2.4 With regards to the proposed single storey front bay extension to the existing lounge and a single storey side extension to increase the size of the existing study. It is considered the plot is of an adequate size to accommodate the additional single storey extensions, and they would not be out of keeping with the character and appearance of the area, with regard to Policies COM01 and GEN02 of the Breckland Local Plan (2019).

2.5 The size and scale of the proposed annexe is not considered to be suitable in this location and would not be in keeping with the visual appearance of the surrounding area. As previously highlighted, the proposal is tantamount to a new dwelling and is not considered to be infill or rounding off and therefore the erection of an annexe in this location is considered to result in an unnecessary and harmful intrusion into the open countryside. On this basis, the proposal is considered to be contrary to Policies GEN02, COM1 and HOU11 of the Breckland Local Plan (adopted 2019), in terms of the character and appearance impact of the development.

3.0 Amenity

3.1 Policy COM 03 of the Breckland Local Plan (adopted 2019) seeks to protect residential amenity. Development will not be permitted which causes unacceptable effects on the residential amenity of neighbouring occupants, or does not provide for adequate levels of amenity for future occupants.

3.2 The application site is situated within a generous plot providing adequate levels of amenity space provision for the proposed annexe. It is considered the proposal would not give rise to any detrimental amenity impacts on existing properties in terms of overlooking, as well as over-dominance and overshadowing due to its scale. The proposed residential nature of the development would not give rise to unsatisfactory levels of odour, noise, vibrations or other forms of nuisance. As such, the proposal is accordingly considered to satisfy the requirements of Policy COM 03 of the Breckland Local Plan (adopted 2019).

4.0 Nutrient Neutrality

4.1 This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended (Habitats Regs)). The Habitat Regulations require Local Planning Authorities to ensure that new development does not cause adverse impacts to the integrity of protected habitats such as the River Wensum or the Broads prior to granting planning permission. This site is located outside of the catchment area of the sites identified by Natural England. The development proposed does not involve the creation of additional overnight accommodation and is such it is unlikely to lead to a significant effect as it would not involve a net increase in population in the catchment. This application has been screened, using a precautionary approach, as unlikely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to

further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

5.0 GIRAMs

5.1 As an independent dwelling, GIRAMs would be relevant to the proposals as this would generate additional overnight stays. No Unilateral Undertaking has been provided in this regard and the proposal would fail to be acceptable in this regard also.

6.0 Conclusion

6.1 In terms of the overall planning balance, it is considered that the proposed annexe would be disproportionate to the main dwelling and be harmful to the character of the area. As a result the proposal would be contrary to policy COM01 of the Breckland Local Plan (adopted). Furthermore, it is considered that the proposal would be tantamount to an independent dwelling in the countryside and does not constitute sensitive infill or rounding off as required by Policy HOU05 of the Breckland Local Plan (adopted) and is therefore unacceptable in principle, as a separate and self-contained dwellinghouse the proposal would be at odds with, and harmfully undermine, the adopted spatial strategy, as set out in Policies GEN01, GEN03, HOU02 and HOU05 of the Breckland Local Plan (adopted). On this basis, it is considered that the development is not acceptable in planning terms and is accordingly recommended for refusal.

REASON(S) FOR REFUSAL

- 1 Non-std reason for refusal**

The proposal by virtue of its size, scale, amount of accommodation and the lack of functional link between the proposed annexe and the host dwelling would be tantamount to the creation of an independent dwellinghouse. A new dwelling in this location would be contrary to the spatial strategy as set out in Policies GEN01, GEN03, HOU02 and HOU05 of the Breckland Local Plan (adopted 2019) and is therefore considered unacceptable in principle and would not represent sustainable development.
- 2 Non-std reason for refusal**

The proposal is contrary to Policy HOU05 of the Breckland Local Plan (adopted 2019) as the proposal would not constitute either sensitive infilling or rounding off and is not considered appropriate in scale and design for this location. The proposal is therefore considered unacceptable in principle and would not represent sustainable development, contrary to Policies GEN01, GEN03, HOU02 and HOU05 of the Breckland Local Plan (adopted 2019).
- 3 Non-std reason for refusal**

The proposal is considered to be disproportionate in size and scale and would not respect the character of the existing dwellinghouse, the proposals would result in harm to the character and appearance of the site and surrounding area, contrary to Policies GEN02 and COM01 of the Breckland Local Plan (adopted 2019).