

AGENDA ITEM NO: 8/1(e)

Parish:	Heacham	
Proposal:	Change of use from annex to holiday let (retrospective)	
Location:	37 South Moor Drive Heacham Norfolk PE31 7BW	
Applicant:	Mr And Mrs Beecroft	
Case No:	19/02128/F (Full Application)	
Case Officer:	Mr James Sheldrake	Date for Determination: 12 February 2020 Extension of Time Expiry Date: 6 March 2020

Reason for Referral to Planning Committee – Referred by Sifting Panel.

Neighbourhood Plan: No

Case Summary

The application site is situated on the west side of South Moor Drive, Heacham at the end of a cul-de-sac. The site consists of a single-storey detached bungalow and garden. In the rear garden is a small garden building, previously used as an annexe, that has been converted to a short-stay holiday let.

The site is within the development boundary.

The proposal seeks retrospective permission for the change of use of the annexe to a holiday let.

Key Issues

Principle of the development
Form and character
Neighbourhood amenity issues
Other considerations

Recommendation

APPROVE

THE APPLICATION

The application site is situated on the west side of South Moor Drive, Heacham at the end of a cul-de-sac. The site consists of a single-storey detached bungalow and garden. In the rear garden is a small garden building, previously used as an annexe, that has been converted to a short-stay holiday let.

The site is within the development boundary.

The proposal seeks retrospective permission for the change of use of the annexe to a holiday let.

The holiday let will share the parking, garden and utilities of the existing bungalow and will be held in the same ownership.

PLANNING HISTORY

14/00675/F: Application Permitted: 02/07/14 - Single storey extension and garage (Delegated)

14/00159/F: Application Permitted: 01/04/14 - Single storey side extensions and construction of a new garage (Delegated)

RESPONSE TO CONSULTATION

Parish Council: OBJECTION

'Heacham Parish Council object to this application as it goes against a Policy contained in the emerging Heacham Neighbourhood Plan which reflects the strong community objection to any increase in holiday accommodation'.

Highways Authority: NO OBJECTION

With consideration to the cul de sac location and the availability of 3 parking places within the frontage, I am able to comment that in relation to highways issues only, as this proposal does not affect the current traffic patterns or the free flow of traffic, that Norfolk County Council does not wish to resist the grant of consent.

Should your Authority be minded to the grant of consent, I would seek to append the following conditions to any consent notice issued:-

SHC 21 - Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

Reason: To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety.

Natural England: NO OBJECTION

REPRESENTATIONS

None.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main issues for consideration in the determination of this application are:

- Principle of the development
- Form and character
- Neighbourhood amenity issues
- Other considerations

Principle of the development

The site falls within the development boundary of Heacham and the building is within the garden area of the bungalow. Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocations and Development Management Policies Plan (2016) supports new holiday accommodation proposals provided they support tourism related uses in the area, don't adversely impact visual amenity, are safely accessed, and are in accordance with national policies on flood risk. The proposal meets the requirements of Policy DM11 (evidence below), so the principle of development is acceptable.

Form and character

The building is existing and is located away from public view at the rear garden of the dwelling. The floorplan shows a single room, suitable for no more than 2 occupants, and an

outdoor covered seating area. The site plan shows reasonable separation distance between the proposed holiday let and the main dwelling and also shows the significant amount of garden available to serve both the dwelling and the holiday let.

The holiday let is accessed either through the main dwelling or through a side gate between the garage and the southern boundary of the site. It cannot be accessed from the rear of the site, so it cannot be easily severed from the main dwelling and will be occupied in association with the dwelling.

The lack of fence or hedgerow subdividing the garden is not considered an issue given the scale of the holiday accommodation, the extent of garden available, and the separation distance to the dwelling.

Neighbourhood amenity

There isn't any impact from overbearance or overshadowing as the building is existing.

The site is level and the existing boundaries are approximately 1.8 metres high, so there won't be any impact from overlooking. The site plan also shows proposed planting adjacent to the boundaries; however, the existing boundary treatments are considered sufficient.

The additional activity resulting from the use of the holiday let will be very low level and won't have a significant impact on neighbour amenity.

Other considerations

The site provides sufficient parking for and the Highways Officer has no objection.

Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocations and Development Management Policies Plan (2016) requires that new holiday accommodation is conditioned for short stay accommodation only, and also requires that owners/ operators maintain an up-to-date register of letting/ occupation. A condition has been imposed covering these issues and a restriction has been added tying the holiday accommodation to the dwelling, to prevent any subdivision.

The draft Heacham Neighbourhood Plan, which has been referenced by the Parish Council in their objection, is not supportive of new holiday accommodation, so conflicts with Policy DM11. The National Planning Policy Guidance (Neighbourhood Planning, Paragraph 9) details how *"section 38(5) of the Planning and Compulsory Purchase Act 2004 requires that the conflict must be resolved in favour of the policy which is contained in the last document to become part of the development plan"*. As the Neighbourhood Plan has not been passed for adoption, Committee Members should favour Policy DM11 over the draft Heacham Neighbourhood Plan policy. The Heacham Neighbourhood Plan policy should be given very little weight at this stage.

CONCLUSION:

The principle of tourism development is acceptable, and the proposal won't cause harm to the form and character of the area or neighbour amenity. Additionally, the impact on highways safety is acceptable. The proposal is therefore recommended for approval.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be carried out in accordance with the following approved plans:

DWG H6725-01 Proposed plans and elevations (10th of December 2019).

- 1 Reason For the avoidance of doubt and in the interests of proper planning.
- 2 Condition Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 2 Reason To ensure the permanent availability of the parking areas, in the interests of satisfactory development and highway safety.
- 3 Condition The holiday let hereby approved shall be held at all times and owned in conjunction with 37 South Moor Drive, Heacham.

The accommodation shall be limited to occupation for holiday purposes only shall be for short stay accommodation only (no more than 28 days per single let); and shall not be occupied as a person's sole or main place of residence.

The owners / operators shall maintain an up-to-date register of lettings/occupation and shall make the register available at all reasonable times to the Local Planning Authority.

- 3 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.