

AGENDA ITEM NO 8/2(a)

Parish:	Burnham Overy	
Proposal:	Conversion of existing garage to form Annexe (with small extension)	
Location:	5 Gong Lane Burnham Overy Staithe King's Lynn Norfolk PE31 8JG	
Applicant:	Mr. & Mrs. Meldrum	
Case No:	21/01651/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 19 October 2021 Extension of Time Expiry Date: 7 January 2022

Reason for Referral to Planning Committee – Officer recommendation is contrary to the Parish Council recommendation and was referred to Planning Committee by Sifting Panel.

Neighbourhood Plan: No

Case Summary

The application seeks planning permission for the conversion of an existing garage to form an Annexe with a small extension to the rear measuring 3.6m in height, 3.6m in depth and 3.7m in width and will provide a sitting room. A small extension is also proposed to the side of the existing garage measuring 3.6m in height, 3.7m in depth and 1.3m in width and will allow for a bedroom to be provided.

Originally, the proposal included a new replacement garage positioned to the front of the property, however, given the sites location within the Conservation Area, the addition was not considered acceptable and was removed from the proposal.

The application site is located within Burnham Overy Staithe which in planning policy terms is identified as a Small Village or Hamlet within the Core Strategy and SADMPP. The site is also located within the AONB and a Conservation Area.

Key Issues

Principle of Development
 Compliance with Policy DM7
 Design and Form
 Impact on the ANOB and Conservation Area
 Impact on Amenity
 Highways and Parking
 Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application seeks planning permission for the conversion of an existing garage to form an Annexe with a small extension to the rear measuring 3.6m in height, 3.6m in depth and 3.7m in width and will provide a sitting room. A small extension is also proposed to the side of the existing garage measuring 3.6m in height, 3.7m in depth and 1.3m in width and will allow for a bedroom to be provided.

The application site is located within Burnham Overy Staithe which in planning policy terms is identified as a Small Village or Hamlet within the Core Strategy and SADMPP. and is considered that these villages have little or no Services and therefore, it would be inappropriate to seek further development in these places.

The site is also located within the AONB and a Conservation Area.

SUPPORTING STATEMENT

The application has provided a supporting statement addressing some of the issues and concerns raised.

Parking Provision:

The property has sufficient space for parking of vehicles under the current layout, and is akin to the other properties along the road.

Norfolk County Council Highways Officer has responded to the application, stating that additional parking provision would not be needed and stated there would be no increased use of Gong Lane, recommending conditions SHC21 (on site parking as approved plans) & SHC26 (living accommodation is incidental to the use of the main dwelling).

Due to the internal dimensions of the existing garage parking is upon the driveway currently, and this is evident with adjacent properties also, the driveway provides ample parking for a three bedroom property (2 car park spaces), Please note that although the semi-detached property was originally a 3-Bed property, the current long term owners have modified this to 2 Bedrooms currently and the Annexe would accommodate the third bedroom - that said, provision for parking upon the site for a 4 Bed property (requiring 3 parking spaces) could be accommodated upon the site.

Precedent: 2 Gong Lane, Burnham Overy Staithe

Recent planning approval Ref No. 19/01242/F has been granted, in this case with a single storey extension accommodating the same accommodation as proposed with this application (albeit the proposal is for conversion and extension of the existing garage building rather than new build single storey extension) – no parking or vehicle intensification matters was raised with this approval.

Conclusion:

The application is not for a separate dwelling but as Dwelling House with Annexe. Provision upon the site will be maintained and provide suitable space for parking for Dwelling and Annexe, with no objection from the Highways Officer.

PLANNING HISTORY

No relevant planning history

**PLANNING COMMITTEE
07 FEBRUARY 2022**

RESPONSE TO CONSULTATION

Parish Council OBJECT:

The Parish Council objected to the application on the following grounds:

Object to the application because of Policy DM7. It is tantamount to a new dwelling, it has its own garden. Highways issues have previously been refused on new dwellings on Gong Lane and Glebe Lane because of visibility at the junction of Gong Lane. The layout and density of the building design are not in keeping.

Consultation on Amended Scheme

Following the receipt of amended plans the Parish Council confirmed their objections:

The existing garage is still being converted into a separate dwelling with its own garden which is independent from the main house and can be rented out separately so not within DM7 policy as it is capable of subdivision. There is not adequate parking for the number of bedrooms to the property. This would in turn cause additional traffic along Gong Lane which has already been highlighted problems with visibility on previous planning applications regarding the junction with the A149.

Highways Authority: NO OBJECTION

Environmental Health & Housing – Environmental Quality: NO OBJECTION

Environment Agency: NO OBJECTION

Conservation Officer

NO OBJECTION following the removal of the replacement garage.

Arboricultural Officer: NO OBJECTION

REPRESENTATIONS

ONE representation was received confirming the following reasons for **OBJECTION**:

- Annexe appears self contained
- Capable of separation to a dwelling
- Increase on traffic movements

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS01 - Spatial Strategy

CS08 - Sustainable Development

CS02 - The Settlement Hierarchy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM3 - Development in the Smaller Villages and Hamlets

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM17 - Parking Provision in New Development

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Compliance with Policy DM7
- Design and Form
- Impact on the ANOB
- Impact on Amenity
- Highways and Parking
- Other Material Considerations

Principal of Development

The application site is located within Burnham Overy Staithe which is identified as a Smaller Village and Hamlet within the Core Strategy and SADMPP and is therefore, considered as countryside in policy terms. Policy DM2 states that areas outside of the development boundaries will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan.

Policy DM3 states what development is considered acceptable within the designated Smaller Villages and Hamlets including the conversions of existing buildings.

Policy DM5 states that proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street

scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.

The most relevant policy which relates to the proposed development is Policy DM7 which states that the development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:

- It remains in the same ownership as, and is occupied in conjunction with the principal dwelling;
- It does not appear as tantamount to a new dwelling
- It is ancillary and subordinate in scale to the principal dwelling;
- Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;
- Occupation of the annexe is subsidiary to that of the main dwelling; and
- Not capable of sub-division.

Policy DM15 goes on to state that development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses, scale, height, massing, materials and layout of a development and use of materials.

The application site is also located within an AONB and a Conservation Area. The NPPF refers to development within the AONB, and states that great weight should be given to conserving and enhancing landscape and scenic beauty in these areas which have the highest status of (para 176). The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

The application site is also located within an AONB and a Conservation Area. The NPPF refers to development within the AONB, and states that great weight should be given to conserving and enhancing landscape and scenic beauty in these areas which have the highest status of (para 176). The scale and extent of development within these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

Overall, whilst the application site is considered as countryside in policy terms, the proposal consists of the conversion of an existing garage within the curtilage of an existing dwelling and is therefore, considered acceptable in principle and is supported by Policy DM3, DM5 and CS06. Provision is made for residential annexes subject to meeting the relevant criteria of Policy DM7 and is therefore acceptable in principle.

Compliance with Policy DM7

Policy DM7 sets out criteria for residential annexes to be secured by condition. In this case, the proposed annex will remain in the same ownership as, and will be occupied in conjunction with the principal dwelling. Given its close positioning to the host property, access, and minimal accommodation proposed, the annexe does not appear as tantamount to a new dwelling and it is not considered that the site would be capable of sub-division. The proposed additions are minor and the annexe will appear ancillary and subordinate in scale to the principal dwelling. The occupants will share the existing access, garden and parking of the main dwelling. The restrictions stated within Policy DM7 will be secured via condition to ensure that the annexe is not sub-divided and remains ancillary to the host dwelling.

For reasons outlined above, the proposal complies with Policy DM7 of the SADMPP.

Design and Form

The existing garage measures 3.3m in height, 3.8m in width and 6.4m in depth. The proposed rear addition to the garage will measure 3.6m in height, 3.7m in depth and 1.3m in width with the side extension measuring 3.6m in height, 3.7m in depth and 1.3m in width. The proposed additions are considered to be minor and of an acceptable scale and will not exceed the ridge height of the existing structure. The extensions will be constructed from brick to match the existing building with grey box profile metal sheeting on the walls and roof and aluminium/timber/upvc windows and doors. Overall, the proposal is considered to be of an acceptable design, scale and form and will incorporate materials that are considered to be in keeping with the host dwelling and surrounding properties and complies with Policy DM15 of the SADMPP.

Impact on the ANOB and Conservation Area

The site is located in the AONB and the Burnham Overy Staithe Conservation Area. AONB's have the highest status of protection in relation to landscape and scenic beauty. In this case the site is in the Coastal Slopes landscape character area of the AONB and one of the pressures includes 'Small-scale or incremental development within villages which may be inconsistent with local built character and materials'. Whilst the proposed works are considered to incorporate an acceptable design with in keeping materials, given its positioning to the rear of the existing dwelling, the annexe and the proposed additions will not be viewable from the public realm and therefore, will not have a detrimental impact on the AONB or the character and appearance of the Conservation Area. The Conservation Officer raises no objection to the proposal. The proposal therefore complies with Policy CS12 of the Core Strategy and Policy DM15 of the SADMPP.

Impact on Amenity

The proposed development consists of the conversion of an existing building currently utilised as a garage within the curtilage of a dwelling. Some minor extensions are proposed to the side and rear. The garage in question is positioned on the northern boundary with the neighbouring properties garage also positioned on the boundary. The proposed rear extension will not exceed the ridge height of the existing buildings and will be screened by a new 2m high fence. The side extension will be screened by the existing dwelling and garage with the rest of the site enclosed by close boarded fencing. The rear addition does not incorporate any windows on the side elevation and therefore, the extension will not result in overlooking or loss of privacy. Given the orientation of the site, scale of development and separation distance from the neighbouring property, the proposed works are not considered to result in overshadowing, loss of light or overlooking and therefore, will not have a detrimental impact on residential amenity and complies with Policy DM15.

Highways and Parking

The application site is host to a two storey, semi detached dwelling with parking and turning positioned at the front of the site. Whilst the proposed conversion will result in the loss of a garage and subsequently a parking space, the site is still considered to provide a sufficient amount of parking for both the occupants of the dwelling and the annexe. The Local Highway Authority has confirmed they have no objections and confirmed that subject to the annexe building remaining incidental to the main dwelling, additional parking would not be needed or achievable nor would there be any increased use of Gong Lane. Therefore, the proposal is not considered to have a detrimental impact on Gong Lane or visibility to the junction of the A149. The proposal therefore complies with policy DM15 and DM17.

Other Material Considerations

Flood Risk

The application site is located within the flood 1 and is not affected by sources of flooding. The site is considered as having a less than 1 in 1,000 annual probability of river or sea flooding. The EA raise no objection.

Trees

The application site is not host to any protected trees and the proposed development is not considered to have a detrimental impact on any existing trees or hedging on site. The Arboricultural Officer raises no objection.

Other matters

The Environmental Quality Officer raises no objection from a contaminated land perspective.

Crime and Disorder

Section 17 of the Crime and Disorder Act 1998 requires Local Authorities to consider the implications for crime and disorder in the carrying out of their duties. The application before the Committee is not considered to have any material impact upon crime and disorder.

CONCLUSION

The proposal incorporates the conversion of an existing structure located within the residential curtilage of the host property 5 Gong Lane. Whilst the site is considered as countryside in policy terms, policies DM3 and DM5 support proposals for the conversion of existing buildings in locations outside of a defined settlement boundary. The proposed additions are considered to be of an acceptable scale, design and form and will incorporate materials that appear in keeping with the host property and surrounding dwellings. The extensions to the existing garage will not have a detrimental impact on residential amenity or the street scene, given their scale and positioning. The annexe is considered to comply with policy DM7 as it is ancillary and subordinate in scale to the principal dwelling and its occupants will share the existing access, garden and parking of the main dwelling. The appropriate conditions will be added to ensure that occupation of the annexe is subsidiary to that of the main dwelling. It is also considered that the site provides a sufficient amount of parking for both the occupants of the host dwelling and for the new annex and will not have a detrimental impact on the highway.

For the reasons outlined above, the application complies with policy DM2, DM3, DM5, DM7 and DM15 of the SADMPP and Policies CS01, CS02, CS08 and CS12 of the Core Strategy and is recommended for approval.

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:
- 4041 246/02 EPROPOSED DRAWING Received 09.12.2021
 - 4041 246/01 AEXISTING DRAWING Received 23.08.2021
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The additional residential accommodation hereby approved shall only be used as ancillary accommodation to and under the same ownership as the main dwelling 5 Gong Lane shown within red on the submitted plans. At no time shall the approved annex be used as an independent unit of residential accommodation, or for business or commercial purposes.
- 3 Reason: For the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.
- 4 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.
- 4 Reason: To ensure the permanent availability of the parking area, in the interests of satisfactory development and highway safety.