

AGENDA ITEM NO: 8/2(b)

Parish:	Heacham	
Proposal:	Proposed two storey and single storey rear extensions plus reconstruction of existing garage outbuilding to form residential annex	
Location:	34 Folgate Road Heacham King's Lynn Norfolk	
Applicant:	Mr Howard Cardus	
Case No:	22/00526/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 27 May 2022 Extension of Time Expiry Date: 9 September 2022

Reason for Referral to Planning Committee – Called in by Councillor Parish

Neighbourhood Plan: No

Case Summary:

Planning permission is sought for a proposed two storey and single storey rear extensions plus the reconstruction of existing garage outbuilding to form a residential annex. The site is host to a two storey, semi detached dwelling constructed from brick with render and white upvc windows and doors.

The property is located on the residential street of Folegate Road which incorporates a mixture of bungalows and two storey properties of a similar appearance.

The dwelling is not listed nor located in, a conservation area

Key Issues:

Principle of Development
Form and Character
Impact on Neighbour Amenity
Other Material Considerations

Recommendation

APPROVE

The Application

The application site is located within the settlement boundary of Heacham which is identified as a Key Rural Service Centre within the Core Strategy and SADMP. Limited growth of a

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scale and nature appropriate to secure the sustainability of each settlement, will be supported within these areas.

Planning permission is sought for a proposed two storey and single storey rear extensions plus the reconstruction of existing garage outbuilding to form a residential annex.

The original proposal sought permission for a larger two storey rear extension measuring 6.3m in height, 4.7m in depth and 4.8m in width. The proposed extension was considered to have a detrimental impact on the amenity of the neighbouring property. Following discussions with the agent, amended plans were provided showing the two storey element reduced in depth by 1.8m. The revisions were considered to sufficiently address the original concerns.

SUPPORTING CASE:

This application does not contain proposals for holiday let accommodation and accordingly, it is expected that the council will be able to support it as it is policy compliant; whilst noting similar proposals in the borough have been approved on this basis by inclusion of a typically worded planning condition, as follows:

The additional residential accommodation hereby approved shall only be used as ancillary accommodation to and under the same ownership as the main dwelling shown within red on the submitted plans. At no time shall the approved annexe be used as an independent unit of residential accommodation, or for business or commercial purposes for the avoidance of doubt and to safeguard the amenities of the locality in accordance with the NPPF.

A garden annexe can transform a family's life by giving the person living in the building closeness to their loved ones whilst maintaining the privacy of having their own space. This means that the rest of the family are also happy that they are only a minute away from family members in such an annexe. It provides the best of both worlds, especially if the main property does not have the space or privacy required to accommodate family members who should continue to expect a certain level of independence and dignity. In this case the existing property is considered suitable as it provides for an ample sized plot and large available garage outbuilding suitable for reconstruction.

It is understood the council has a presumption in favour of this type of proposal which is located within the development boundary of Heacham and offers a good design in keeping with its surroundings.

In regard to design and amenity, the proposed designs for both the proposed extensions and annexe are based on existing building footprints. The resultant construction will ensure no overhanging or impacting upon neighbouring properties. Box guttering is a standard construction detail that can be included along the eastern boundary to accommodate the 2 storey extension element. Consequently, it is considered the proposal would not significantly impact upon neighbouring amenity and can therefore be deemed acceptable.

Due to the proposals including annexe accommodation ancillary to the main dwelling, matters surrounding traffic generation are considered to be relatively similar and this point has been acknowledged by Norfolk County Council in their recommendations. Notwithstanding, we have taken the opportunity to improve upon the current parking situation at this property so and have now included both parking and turning facilities to enable cars to both enter and exit the property in forward gear. Currently the property does not allow for on-site turning. This aspect can also be conditioned to ensure improvements to highway safety in the area. The Highway Authority have further advised as the proposed

annex will be used as ancillary accommodation to the main dwelling that they would not wish to raise any objection on this basis.

We note no neighbouring objections lodged on the council's planning portal. However concerns have been expressed by the Parish Council as far as the proposals must not be accepted to include the annexe's use as holiday let accommodation. We wish to re-iterate that this proposal is not for holiday let accommodation and will accept any planning conditions that the council deems necessary to ensure planning control remains on the property ensuring that the annexe will only be utilised as ancillary to the main dwelling.

In conclusion, we confirm this planning application shall not be utilised at any time other than for use as a single residential accommodation. At no time shall the property be used, sold, leased or occupied independently from the principal dwelling, used as holiday accommodation nor shall the common ownership or occupation of the development and principal dwelling be severed. This confirmation and the above additional supporting comments we hope will be sufficient for your planning committee to consider supporting this application.

PLANNING HISTORY

2/03/0980/F - Permitted 22/07/2003 - Conservatory extension to dwelling - Committee Decision

2/93/1109/F - Withdrawn 31/08/1993 - Extension to dwelling

2/93/1035/F - Permitted 26/08/1993 - Construction of detached garage – Delegated Decision

RESPONSE TO CONSULTATION

Parish Council: OBJECT

The Parish Council object to the application on the grounds of highway safety and increase vehicle activity. The Parish Council also agree with the Highways Authority regarding the annexe and agree its use as an independent or commercial property should not be allowed.

Highways Authority: COMMENTS

The substandard nature of the sites access in terms of width is of concern. The proposed self-contained nature of the annexe, with its own kitchen and dining area, which would enable occupation, independent of the main dwelling and would result in increased activity over the narrow unmade access and should be resisted.

I would have concerns if any increased uses were engendered by independent or commercial use of the annexe.

We would not support any development which brings forth an increase in vehicle activity, however, given that the application is for ancillary accommodation, which, in association with the main dwelling would be considered to be de minimis.

REPRESENTATIONS

NO representations received

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LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM7 - Residential Annexes

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 3: Residential Extensions

Policy 5: Design Principles

Policy 6: Residential Car Parking

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2019

PLANNING CONSIDERATIONS

Principal of Development

Policies CS08 and DM15 of the Development Plan state that development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against a number of factors including overlooking, overbearing, overshadowing, noise, contamination and visual impact. The principle of extending a dwelling is therefore acceptable in principle.

Policy DM7 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;
- and 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 3 of the Heacham Neighbourhood Plan (Residential Extensions) states that proposals [HWH1] should respect the character of the original dwelling and neighbouring development, and are of an appropriate scale, bulk and mass, having regard to the size of the existing property. Developments should also provide a sufficient amount of off road parking and retain a sensitive relationship between the size of the plot [HWH2] and not appear cramped and overdeveloped.

Policy 5 of the Heacham Neighbourhood Plan (Design Principles) confirms that developments should be of a high quality design that recognise and reinforce the character of the local area in relation to height, scale, spacing, layout, orientation, design, and materials of neighbouring buildings. 3 Homes and streets are designed to be tenure-blind.

Policy 6 (Residential Car Parking) confirms how many spaces are required per dwelling based on the number of bedrooms. In this case, the site should provide a minimum of 3no. spaces.

Form and Character

In this case planning permission is sought for two storey and single storey rear extensions plus the reconstruction of an existing garage outbuilding to form a residential annex.

The proposed two storey extension, which has been amended since its original submission, would measure 6.3m in height, 4.8m in width and 2.7m in depth and would provide a larger kitchen at ground floor with layout alterations and a new bathroom at first floor.

The single storey addition would measure 3.2m in height, 7.7m in depth and 4.8m in width and would incorporate a roof lantern. The extension would provide a new living room.

The garage would be converted to an annexe providing one bedroom, kitchen/living room and bathroom and is considered to comply with the requirements of policy DM7 as the plot is not considered capable of subdivision and the occupants will share the garden space, parking and access with the host property. The scale of the annexe is considered to appear subsidiary to the host property and will not appear tantamount to a new dwelling. The appearance of the building would be slightly altered with the garage door removed and replaced with 2no. windows on the front elevation with bifolding doors and a window added to the rear elevation. Relevant conditions will be added to the permission to ensure that the annexe is not used as an independent unit of accommodation or used for any commercial or business purposes.

The additions would be constructed from materials that would appear in keeping with the host property including render and upvc windows and doors.

Overall, the proposed development is considered to respect the character of the original dwelling and neighbouring properties and is of an appropriate scale, bulk and mass. The extensions would not result in a cramped or contrived plot and relates sensitively to the form of the area.

The additions would not have an adverse impact on neighbouring properties and the site would retain a sufficient amount of amenity space and parking provision. ‘

The majority of the works are positioned to the rear of the property and therefore, would not be viewable from the public realm and would not have a detrimental impact on the street scene. Therefore, the proposed development is considered to comply with policy 3 (residential extensions), policy 5 (design principles) and policy 6 (residential car parking) of the Heacham Neighbourhood Plan and policy DM15 of the SADMP.

Impact on Neighbour Amenity

The property is a two storey, semi-detached dwelling with an existing single storey addition positioned to the rear. The neighbouring property is also host to a similar extension to the rear, set further back from the application site's extension.

The proposed single storey extension, would incorporate a flat roof with a lower eave's height than the existing addition. The site is enclosed by close boarded timber fencing which will partially screen this addition.

The proposed two-storey extension has been reduced in depth by 1.8m and would not incorporate any windows on the side elevations of the new extension and would not exceed the ridge height of the host property.

Given the orientation of the site (to the west of the neighbouring property), the proposed two storey extension may result in slight overshadowing for a couple of hours in the late afternoon/evening. However, this is not considered detrimental to the amenities of the occupiers of the adjacent property given the minimal depth of the extension.

The neighbour's single storey rear extension incorporates a cat slide roof pitch with the ridge height positioned only 1.1m below the eaves of the proposed two storey extension. Therefore, the proposed addition is not considered to appear overbearing in comparison to the neighbour's extension.

The neighbouring property is not host to any obscured windows at first floor level to the rear of the property, therefore, it is likely that these are habitable rooms. However, given the scale of the extension, it is not considered that the addition would result in an unacceptable amount of overshadowing or loss of light.

The site allows for a sufficient separation distance of 4.6m to the south with the existing garage screening the proposed single storey addition.

Overall, the proposed works are not considered to have a detrimental impact on residential amenity and comply with policy DM15.

The developments respect the character of the original dwelling and neighbouring development, and the additions are of an appropriate scale, bulk and mass, having regard to the size of the existing property and therefore, complies with policies 3 and 5 of the Heacham Neighbourhood Plan.

Other Material Considerations:

Response to Parish Council Comments:

The Parish Council have objected to the application on the grounds of highway safety and increase vehicle activity, however, the Highways Authority does not object to the proposal and the site is considered to provide a sufficient amount of parking for both the host property and the annexe. A condition will be added to ensure that the annexe is used for ancillary purposes only. With regards to increased vehicular activity, the annexe is ancillary accommodation, which, in association with the main dwelling would be considered to be de minimis.

Response to the Local Highway Authorities Comments:

A standard condition will be added to the decision notice which will ensure that the annexe is for use ancillary to the host property only.

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Whilst the proposed works would result in the loss of an existing garage, the extensions to the main dwelling would not create any additional habitable rooms. The site is considered capable of providing a sufficient amount of parking for the occupants of the host dwelling and the proposed annexe. A condition would be imposed to ensure that the annexe is held and occupied in conjunction with the main dwelling. The proposal therefore complies with Policy DM15, DM17 and policy 3, 5 and 6 of the Heacham Neighbourhood Plan.

Conclusion

The proposed development is considered to be of an acceptable scale, design and form which respects the character and appearance of the host property and surrounding dwellings. The additions and conversion of the garage to become an annexe would not have a detrimental impact on residential amenity.

The proposal therefore complies with the overarching aims of the NPPF and Development Plan Policies CS1, CS2, CS08, DM1, DM2, DM7 and DM15 as well as policies 3, 5 and 6 of the Heacham Neighbourhood Plan.

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 91 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:

22350-01 A	LOCATION PLAN	Received 30.03.2022	
22350-02 B	EXISTING AND PROPOSED BLOCK PLANS		Received 17.06.2022
22350-03 B	EXISTING FLOOR PLANS	Received 17.06.2022	
22350-04 B	EXISTING ELEVATIONS	Received 17.06.2022	
22350-05 B	PROPOSED FLOOR PLANS	Received 17.06.2022	
22350-06 B	PROPOSED ELEVATIONS	Received 17.06.2022	
- 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 shown within red on the submitted plans. At no time shall the approved annexe 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.