

AGENDA ITEM NO: 10/2(b)

Parish:	Congham	
Proposal:	Change of use from studio to short term holiday let (2 persons)	
Location:	The Lavenders St Andrews Lane Congham KINGS LYNN	
Applicant:	PAUL OLDROYD	
Case No:	23/00271/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 27 April 2023 Extension of Time Expiry Date: 8 June 2023

Reason for Referral to Planning Committee – The recommendation is contrary to that of the Parish Council and the matter was referred to Planning Committee by the Sifting Panel

Neighbourhood Plan: No

Case Summary

The application site is located within Congham which is classified as a Smaller Village and Hamlet Policy CS02 of the Core Strategy 2011. The site is not within a defined settlement boundary and is therefore considered as countryside in policy terms.

The plot is host to one dwelling (The Lavenders) and a garage with a room in the roof which was approved under application 18/00119/RM. The first floor of the garage currently contains a studio. However, the studio space has been used as an annexe containing a kitchen/diner and living room, shower room and one bedroom. The studio was conditioned to be limited to purposes incidental to the needs and personal enjoyment of the occupants of the dwelling.

The proposal seeks permission for the change of use from studio to a short-term holiday let.

Amended plans were submitted showing the neighbouring site's boundary revised, following the receipt of comments from a neighbouring property.

Key Issues

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

Recommendation

APPROVE

Planning Committee
5 June 2023

THE APPLICATION

The application site is located within the rural village of Congham and fronts St Andrews Lane. The site is host to an existing two storey, detached dwelling with a garage with a room above.

The garage at ground floor provides parking spaces and a separate store with a studio/study at first floor. The first floor can be accessed via an external staircase located to the rear of the building (north) and was approved under application 18/00119/RM.

The dwelling and garage have been constructed from red brick and flint with upvc windows and doors. To the front of the plot is a large parking and turning area with the garage accessed to the side of the host dwelling (east).

The site is enclosed by close boarded fencing and has no residential properties located to the rear.

Supporting Statement:

The application site is located within the rural village of Congham and fronts St Andrews Lane. The site is host to an existing two storey, detached dwelling with a garage with a room above.

The garage at ground floor provides parking spaces and a separate store with a studio/study at first floor. The first floor can be accessed via an external staircase located to the rear of the building (north) and was approved under application 18/00119/RM.

The dwelling and garage have been constructed from red brick and flint with upvc windows and doors. To the front of the plot is a large parking and turning area with the garage accessed to the side of the host dwelling (east).

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PLANNING HISTORY

18/00119/RM - Permitted - Reserved Matters Application: Construction of a dwelling - Delegated Decision

16/02012/O - Permitted - Outline Application: Construction of two dwellings and formation of new access onto St Andrews Lane - Committee Decision

RESPONSE TO CONSULTATION

Parish Council: OBJECT on the grounds that:

The Parish Council object to the application on the grounds that the proposed short-term holiday let would create an additional dwelling therefore generating increased traffic flows on the very narrow single track, St Andrews Lane which is currently over trafficked and the revised location plan red outlined area doesn't have a sufficient turning area to allow a car to leave in forward gear. This will lead to further conflict between pedestrians and vehicles on St Andrews Lane and consequently be detrimental to the safety of residents.

Highways Authority: NO OBJECTION:

Whilst St Andrews Lane is generally considered unsuitable for increased use due to the inadequate widths, for this single letting unit which benefits from an acceptable access, visibility and parking provision, I would find any objection difficult to sustain. I am able to

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comment that in relation to highways issues only, as this proposal does not , that Norfolk County Council does not wish to resist the grant of consent.

REPRESENTATIONS

ONE REPRESENTATION received stating that the location plan provided incorrectly showed the extent of their boundary. The representation also objected to the use of the external staircase as this would result in overlooking.

Response:

One representation received stating that the location plan provided incorrectly showed the extent of their boundary. The representation also objected to the use of the external staircase as this would result in overlooking.

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS10 - The Economy

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM11 – Touring and Permanent Holiday Sites

DM3 - Development in the Smaller Villages and Hamlets

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)
Planning Practice Guidance (PPG)
National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of development

- Form and character
- Impact on neighbour amenity
- Highway safety
- Flood risk

Principle of Development:

Planning permission is sought for the change of use from an existing first floor studio to be used as a short term holiday let.

The site lies within the countryside where policies are restrictive, however, the proposal relates to the conversion of an existing building.

Planning Policy supports holiday accommodation in the countryside under Policy DM11 of the SADMPP, in order to support the rural economy, providing such accommodation is situated within sustainable locations, demonstrates high standards of design and would not be detrimental to complies with flood risk policies and would not be detrimental to the countryside, AONB or European designate sites.

It is considered that the proposed holiday use is acceptable in principle on the site as it involves the conversion of an existing ancillary building within the garden curtilage of an existing dwelling, which will provide a public benefit by contributing towards supporting rural tourism and economic growth within this rural area without being detrimental to the landscape.

Holiday let use falls within the same residential Use Class C3 as ancillary accommodation and would be used in a similar manner but not on a permanent basis.

Policy DM11 of the Site Allocations and Development Management Plan 2016 states that proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless the proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area.

The applicant has provided a supporting statement confirming that the site would support the rural economy given its location near the Norfolk Coast, Sandringham and various market towns.

The accommodation would be marketed on various booking sites and is aimed at couples or individuals who are looking for a quiet and relaxing break.

The statement goes onto explain that the site provides a sufficient amount of parking for the host dwelling and guests.

A condition would be added to ensure that the holiday let is tied to the host dwelling so that it cannot be occupied as a separate residential dwelling.

Conditions would also be added to ensure that the accommodation is occupied for holiday purposes only and cannot be occupied for more than 28 days per year. The owners would also be required to maintain an up-to-date register of lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority. Therefore, the proposed development is considered to comply with policy DM11.

The above development is considered to represent sustainable development in accordance with the NPPF.

Overall, the proposed development is considered to comply with policy DM1, DM11 and DM15 of the Site allocations and Development Management Policies Plan 2016 (SADMPP) and policy CS01, CS06, CS08, CS10 and CS12 of the Core Strategy 2011.

Form and Character:

No works or alterations are proposed to the existing building as a result of the change of use and therefore, the character and appearance of the building would remain the same. A small brick wall is proposed in between the main dwelling and the garage to separate the host properties amenity space from the parking and turning area for the proposed holiday let. This addition is considered to be minor and would not be viewable from the street scene. Therefore, the proposed development is considered to comply with Policy DM15 of the SADMPP 2016 and Policy CS06 of the Core Strategy.

Impact on Neighbour Amenity:

The proposed development does not involve the addition or extension of the building and therefore, the proposal would not create any overshadowing or loss of light. The external staircase positioned to the rear of the building is existing and serves a studio/study at first floor. The staircase was included on plans approved under 18/00119/RM and therefore, the principle of the stairs, its location and their use has already been considered acceptable.

Whilst the proposed change of use may slightly intensify the use of the staircase with guests utilising it more often to access their accommodation, this would be limited due to the scale of accommodation provided. The staircase only provides enough space for guests to access the accommodation and does not incorporate a balcony or terrace area. The stairs are positioned approximately 20.9m from the neighbouring properties rear elevation and are located on the centre of the building with rising to the west away from the neighbour. Given the staircase's location, the garage building itself would screen any views into the neighbouring dwelling and the site also offers screening from the existing close boarded, 2m timber fence.

Noise created by users is also considered to be minimal or similar to the existing use due to the scale of accommodation. The one bedroom holiday let would allow for a maximum of two people as only one bedroom is provided. Therefore, noise created from entering and existing the building as well as vehicle movements may be increased slightly however, this not considered to be unacceptable.

Given that the proposed holiday let would only consist of one bedroom, it is not considered to generate an excessive number of movements on the staircase causing a level of overlooking detrimental enough to warrant a refusal.

The access to the holiday let would be positioned adjacent the neighbours access which allows for a separation distance of 2.7m from the fence to the neighbouring dwelling. The west elevation of the neighbouring dwelling does not include any windows and therefore, users of the holiday would not have views into the property.

The site is well screened to the west by mature trees and hedging. The building is positioned 9.8m from the western boundary and therefore, the neighbour to the west would not be impacted by the proposed change of use given the existing screening and separation. Therefore, the proposed development is not considered to have a detrimental impact on residential amenity and complies with DM15 of the SADMPP 2016 and Policy CS06 of the Core Strategy.

Highway Safety:

The proposed holiday let would utilise the existing access off St Andrews Lane and would not impact the existing parking provisions for the main dwelling.

The users of the proposed holiday let would drive down the side (east) of the host property and park in front of the garage building.

The Highway Authority have confirmed that St Andrews Lane is generally considered unsuitable for increased use due to the inadequate widths however, given that the site benefits from an acceptable access, sufficient visibility and parking provisions, they have confirmed they have no objections.

Therefore, the proposal is considered to comply with policy DM15 of the SADMPP 2016 and Policy CS06 of the Core Strategy.

Flood Risk:

The application site is located within Flood Zone 1 and therefore, the site has a low probability of flooding – less than 0.1% annual probability of river or sea flooding

Response to Third Party Comments:

Following the receipt of comments from the neighbouring property, an amended location plan was provided correctly showing the extent of the neighbour's boundary and a reconsultation was issued.

Other matters requiring consideration prior to the determination of this application:

CONCLUSION

In conclusion, the application site is considered to provide and retain a sufficient amount of parking for both the host dwelling and proposed holiday let and would utilise an acceptable access.

No extensions or additions are proposed to the garage and therefore, the proposed use is not considered to create any overshadowing or loss of privacy.

Noise disturbance from vehicle movements and use of the external staircase is considered to be minimal given scale of the accommodation. The site also provides sufficient separation distance from the neighbouring property to the east and screening to the west.

The principle of holiday use is acceptable given that it involves the conversion of an existing building, and the use would contribute towards supporting rural tourism and economic growth within this rural area without being detrimental to the landscape. Therefore, the development is considered to comply with policy DM1, DM11 and DM15 of the Site allocations and Development Management Policies Plan 2016 (SADMPP) and policy CS01, CS06, CS08, CS10 and CS12 of the Core Strategy 2011.

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:

SE-883 21 A FLOOR PLAN PROPOSED Received 27.02.2023
SE-883 21 A GARAGE LAYOUTS & SECTION Received 27.02.2023
SE-883 23 BUILDING REGULATION DRAWING SITE & LOCATION PLAN
Received 26.04.2023
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The accommodation hereby permitted shall be used as ancillary accommodation or for holiday purposes only, held and operated in connection with The Lavenders, St Andrews Lane, Congham.
- 3 Reason: For the avoidance of doubt to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF 2021.
- 4 Condition: In so far as the holiday let accommodation is concerned, it shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person sole or main place of residence.
- 4 Reason: For the avoidance of doubt and to ensure that the development is not used for unrelated purposes that would not be compatible with the NPPF.
- 5 Condition: The owners/operators of the holiday let hereby approved shall maintain an up-to-date register of lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority.
- 5 Reason: In order for the Local Authority to retain control over the development and to ensure that it is not used for unrelated purposes that would not be compatible with the NPPF.