

AGENDA ITEM NO: 8/2(c)

Parish:	Denver	
Proposal:	Conversion of studio to single dwelling (no external alterations)	
Location:	Fir Tree Farm 110 Sluice Road Denver Downham Market	
Applicant:	Mr R Howes	
Case No:	16/00876/CU (Change of Use Application)	
Case Officer:	Mrs N Osler	Date for Determination: 11 July 2016

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

Case Summary

The application site lies on the northern side of Sluice Road, Denver and comprises an existing studio building and part of the residential curtilage associated with Fir Tree Farm, 110 Sluice Road the latter of which is a relatively large two-storey farmhouse that lies immediately south east of the existing studio.

The site lies predominantly within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Inset Map for Denver. A small part of the site, including the access drive and majority of the existing building lies within Built Environment Type C.

The application seeks full planning permission for conversion of the studio to a single dwelling. No external alterations are proposed.

Key Issues

Principle of development;
Form and character;
Neighbour amenity;
Highway safety;
Other considerations; and
Crime and disorder

Recommendation

REFUSE

THE APPLICATION

The application site lies on the northern side of Sluice Road, Denver and comprises an existing studio building and part of the residential curtilage associated with Fir Tree Farm, 110 Sluice Road. This is a relatively large two-storey farmhouse which lies immediately south east of the existing studio.

The site lies predominantly within the countryside as defined by the King's Lynn and West Norfolk Local Plan (1998) Inset Map for Denver. A small part of the site, including the majority of the building and access drive, lies within Built Environment Type 'C'.

The application seeks full planning permission for conversion of studio to single dwelling (no external alterations).

SUPPORTING CASE

The Design and Access Statement that accompanied the application suggests:

- The site is close to the centre of the village of Denver with a wide variety of amenities including shop, public house, school, village hall, recreation field, golf course, café and a number of other businesses. The town of Downham Market is located approximately 1 mile to the north with footpath access to a comprehensive range of facilities and public transport;
- There is a recognised demand for residential dwellings within the locality, as identified within the BCKL & WN LDF plan, and this proposal will provide a modest additional unit of independent accommodation without additional building;
- This application provides further information to support the assertion that visibility is adequate, with no calculable increase in traffic flow following withdrawal of previous application 16/00035/CU which was being recommended for refusal on the grounds of highway safety;
- There will be little change to the form & character of the area;
- There will be minimal change to the landscape and minimal effect on the wider landscape with existing trees and hedgerow within and surrounding the site will be maintained, with driveway access formalised with shingle surfacing;
- It is considered that the proposal for conversion to a single dwelling as submitted is in accordance with local plan and NPPF presumption in favour of sustainable development, without any adverse impacts that would 'significantly and demonstrably' outweigh the benefits. It is also considered that there will be no calculable increase in traffic movements and that highway visibility is adequate. As such, when assessed against local plan and NPPF policies, the development should not be restricted.

PLANNING HISTORY

16/00035/CU - Conversion of studio to single dwelling (no external alterations) – Refused 7 April 2016

14/01475/F – Retention of veranda – Permitted 28 November 2014

2/95/0330/F - Alteration and extension to dwelling including detached summerhouse and construction of agricultural shed – Permitted 21 April 1995

2/95/0329/F – Temporary standing of residential caravan during building works – Permitted 21 April 1995

99/0529/F – Extension to dwelling – Permitted 28 May 1999

RESPONSE TO CONSULTATION

Parish Council: SUPPORT

Highways Authority: OBJECT – The LHA considers that approval of this application would result in conditions to the detriment of highway safety

Internal Drainage Board: No Comments to make

Environmental Health & Housing – Environmental Quality: No Comments to make in relation to air quality or contaminated land

REPRESENTATIONS

None received at time of writing report.

NATIONAL GUIDANCE

National Planning Policy Framework – sets out the Government's planning policies for England and how these are expected to be applied.

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

PLANNING POLICIES

The King's Lynn and West Norfolk Local Plan (1998) contains the following saved policies that are relevant to the proposal:

4/21 - indicates that in built-up areas of towns or villages identified on the Proposals Map as Built Environment Type C or D development will be permitted where it is in character with the locality.

8/1 - indicates that individual and small groups of dwellings will be permitted in settled or built-up areas of villages defined as Built Environment Types C and D.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PRE-SUBMISSION DOCUMENT

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

OTHER GUIDANCE

Downham Market by Design

PLANNING CONSIDERATIONS

The key issues identified in the consideration of this application are as follows:

- Principle of development;
- Form and character;
- Neighbour amenity;
- Highway safety;
- Other considerations; and
- Crime and disorder

The Principle of Development

Denver is identified as a 'Rural Village' in the Settlement Hierarchy set out in Policy CS02 of the King's Lynn & West Norfolk Core Strategy, 2011. Furthermore the main part of the building itself (excluding the veranda) falls within both the existing and proposed development boundary for the settlement. Within these areas the principle of new residential development is generally considered to be acceptable under Policies CS02 and CS09 of the Core Strategy, Policies 8/1 and 4/21 of the Local Plan and emerging Development Management Policy DM2. Development must however have regard for and be in harmony with the building characteristics of the locality and comply with all other relevant policies.

In light of the above and the current policy position, it is therefore considered that the principle of development is acceptable.

Form and Character

Given that no external alterations are proposed to the existing building there would be no significant impact on the established form and character of the area or the surrounding countryside.

Neighbour Amenity

There are no neighbouring residential properties immediately adjoining the application site other than the host dwelling.

Although the existing studio building is situated only 6.5 metres from the rear elevation of Fir Tree Farmhouse (the host dwelling), they are already suitably separated by existing 1.8m high close board fencing with trellis above and relatively mature planting and trees. It is therefore considered overall that there would be no significant amenity or privacy issues between the proposed conversion and the existing residential property, particularly given that the main outlook of the proposed conversion is to the north.

Highway Safety

Both the NPPF (paragraph 32) and Development Plan (Core Strategy Policy CS11) require new development to provide safe and suitable access for all modes.

The applicant asserts that there would be no calculable increase in traffic flow from the property as a result of the change of use because the existing Annexe may reasonably be occupied by one or two car users or by a non-car user receiving multiple visits per day from carers etc. By comparison, use of a separate dwelling will not increase the number of bed spaces and therefore the number of vehicle movements will not increase. However, the LHA considers that the existing use of the existing use of the studio is ancillary to the main dwelling and its alteration to a standalone unit of occupation will generate its own additional independent traffic through an access that has been found to be substandard by the Local Highway Authority (LHA). It is pertinent to note that this is a conclusion that the LPA generally concurs with, and the reason behind the restrictive conditions placed on annexes.

The applicant considers that *“vehicles usually exit the site to the east side of the access (as demonstrated on the ground by tyre marks and reinforced further by the location which dictates that most vehicles exit in an easterly direction)”*. In this instance the applicant therefore considers *“it to be pragmatic to measure visibility from the point that vehicles exit the site rather than at the centre of the drop kerb, which artificially reduces the visibility to the west”*. However, the LHA maintains its view that, to accord with the adopted standards, visibility should be measured from the centre of the access point and should be on land in the applicant’s control. As such the LHA concludes that splays of only 2.4 x 35m can be achieved; only 78% of the standard required.

As a result NCC Highways consider the increase in traffic using the site where there is inadequate visibility splays would result in conditions to the detriment of highway safety, contrary to Policy CS11 of the Core Strategy (2011).

Other Considerations

There are no other material considerations relevant to this application.

Crime and Disorder

There are no specific crime or disorder issues associated with the proposed development.

CONCLUSION

The proposed conversion to create a dwelling is in general accordance with the NPPF and Development Plan and would raise no material impacts in terms of visual or neighbour amenity. However, Norfolk County Highways have raised an objection to the proposal on highway safety grounds due to the increase in traffic that would be expected from an independent dwelling and the inadequate visibility splays that are provided at the junction of the access with the County Highway.

The proposal is therefore contrary to Policy CS11 of the Core Strategy (2011) as well as the provisions of the NPPF (2012). It is therefore recommended that planning permission be refused for the following reason.

RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Inadequate visibility splays are provided at the junction of the access with the County highway and this would cause danger and inconvenience to users of the adjoining public highway. The proposed development is therefore contrary to paragraph 32 of the NPPF and Core Strategy Policy CS11.