

**RUNTON - PF/19/1472 - Proposed single storey rear extension; The Old Mill Studio, Mill Lane, East Runton, Cromer, NR27 9PH for Mrs Pitcher**

**- Target Date: 29 October 2019**

Case Officer: Mrs L Starling

Householder application

**CONSTRAINTS**

LDF - Countryside

HO 9 - Rural Residential Conversion Area

Unclassified Road

Article 4 Direction

SFRA - Areas Susceptible to Groundwater Flooding

Landscape Character Area

LDF Tourism Asset Zone

Undeveloped Coast

**RELEVANT PLANNING HISTORY**

PF/19/0342 HOU - The Old Mill Studio, Mill Lane, East Runton, Cromer, NR27 9PH - Single-storey extension to side and rear to provide annexe - Withdrawn by Applicant 29/04/2019

PF/18/1770 HOU - The Old Mill Studio, Mill Lane, East Runton, Cromer, NR27 9PH - Erection of two detached single storey outbuildings (part retrospective) - Approved 05/12/2018

PLA/19921417 PF - The Studio, East Runton Mill, Mill Lane, East Runton - Conservatory extension - Approved 11/11/1992

PLA/19890949 - Conversion and extension of existing barn - The Old Mill Studio - Approved 09/08/1989

**THE APPLICATION**

This application is for the construction of a single storey extension to the side/rear of the dwelling.

The extension would be constructed in red brick with a flat felt covered roof with 4 roof lanterns. It would measure approximately 10 metres by 3.5 metres with a height of 2.7 metres (excluding the roof lanterns) and would provide an accessible bedroom and shower room linked to the main for applicant's terminally ill son, who has been diagnosed in April 2019 with a rare brain tumour known as DIPG (Diffuse Intrinsic Pontine Glioma), who will need increasing levels of care as the disease progresses.

**REASONS FOR REFERRAL TO COMMITTEE**

At the request of the Head of Planning and Councillor S Butikofer on the grounds of the local sensitivity of the application, given the personal circumstances of the applicant.

**PARISH/TOWN COUNCIL**

East and West Runton Parish Council - Parish Councillors have inspected the site and are sympathetic with the reason for the application and see no planning objections to the proposal.

## REPRESENTATIONS

Ten letters of public support have been received on the following grounds;

- the family's circumstances should be taken into account when determining the application. The extension is much needed and would allow the property to be adapted and care to be provided at home and allow the family to remain together at this difficult time.
- the proposed extension is considered sympathetic to the local area, its immediate surroundings and nearby properties, is of an appropriate scale and would put an unused space to the rear of the property to important use.
- the extension would be single-storey, well screened to the rear of the property and would not have detrimental impact on the residential amenities of any adjoining properties.

## CONSULTATIONS

Conservation and Design Officer - Objection on design grounds and the harm to the adjacent designated heritage asset (The Old Mill, a grade II listed building).

## HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

## CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

## POLICIES

North Norfolk Core Strategy (Adopted September 2008):

Policy SS2: Development in the Countryside

Policy SS 4: Environment

Policy HO 8: House extensions and replacement dwellings in the Countryside

Policy EN 2: Protection and enhancement of landscape and settlement character

Policy EN 3: Undeveloped Coast

Policy EN 4: Design

Policy EN 8: Protecting and enhancing the historic environment

Policy EN 9: Biodiversity and geology

Policy CT 5: The transport impact on new development

Policy CT 6: Parking provision

National Planning Policy Framework (NPPF)

Section 12 - Achieving well-designed places - (paragraphs 127 and 130)

Section 15 - Conserving and enhancing the natural environment (paragraphs 170 and 172)

Section 16 - Conserving and enhancing the historic environment - (paragraphs 193, 194 and 196)

## MAIN ISSUES FOR CONSIDERATION

1. Principle
2. Design and heritage impacts
3. Amenity
4. Landscape and effect on the area of Undeveloped Coast
5. Highways
6. Personal circumstances

## APPRAISAL

### 1. Principle

Policies SS1 and SS 2 limit development in Countryside policy areas to that which requires a rural location. Policy SS 2 does, however, allow for the extension of existing dwellings in the Countryside. Therefore subject to compliance with other relevant Core Strategy policies, the proposal is in principle considered acceptable in terms of Policies SS 1 and SS 2. Policy HO 8 also permits extensions to dwellings in the Countryside where proposals would not result in a disproportionately large increase in the height or scale of the dwelling and would not materially increase the impact of the dwelling on the appearance of the surrounding countryside. Given the single-storey design, scale and siting of the proposed extension, it would also comply with the requirements of Policy HO 8.

### 2. Design and heritage impacts

The site lies on the eastern edge of East Runton. Whilst not located within the East Runton Conservation Area, the host property (The Old Mill Studio) forms part of a cohesive group of traditional outbuildings associated with the former Corn Mill (known as The Old Mill) which is listed (grade II). This has been converted to a private dwelling. Whilst it is recognised that both properties have been extensively altered/extended over time, they still retain a close interrelationship resulting from their historic use, physical interconnection and traditional architectural form and style, with the 19th century Mill being a significant landmark feature within the landscape which makes a positive contribution to the character and appearance of the wider area.

An application (PF/19/0342), was submitted to extend the property in a similar manner as now proposed (albeit the extension was approximately 1.8 metres greater in length). This was withdrawn prior to determination in response to heritage and design concerns as follows:

- Flat roof and 'boxy' form of the proposed extension
- Unbroken elevations and stark appearance
- Lack of design detailing and finesse
- One dimensional finishes
- Lack of relationship to the traditional context

Whilst it is acknowledged that the extension forming part of the current application is 1.8 metres less in length, the previous design and conservation concerns remain. For these reasons it is considered that the development would be harmful to the setting of the designated heritage asset (The Old Mill) and would fail to reinforce the local context. As such, it is considered that the scheme would constitute an unacceptable form of development which would fail to accord with Policies EN 4 and EN8 of the North Norfolk Core Strategy and Sections 12 and 16 of the NPPF. Although the harm would be less than significant, there would be no public benefits outweighing it as is required paragraph 193, 194 and 196 of the NPPF.

### 3. Amenity

Whilst there are a number of residential properties within the vicinity of the site, as the proposed extension would be single-storey with a flat roof (albeit featuring roof lanterns), it is not considered that the scheme would significantly impact on the residential amenities of the occupants of any neighbouring properties by virtue of unacceptable loss of privacy, light or unreasonable disturbance. On this basis, the proposal is in accordance with Policy EN4 of the North Norfolk Core Strategy.

#### 4. Landscape and impact upon the Undeveloped Coast

Notwithstanding being located within the designated Undeveloped Coast, the property lies within a built-up area, which along with its well screened position to the rear of the property and single-storey design, would result in a development which would not raise any landscape or biodiversity concerns or be significantly detrimental to the open coastal character of the area. The scheme would therefore accord with Policies EN 3, EN4 and EN 9 of the Core Strategy and Section 15 of the NPPF.

#### 5. Highways

The property is accessed by a private access off Mill Lane shared with a number of other properties. The proposal would not result in a material increase in traffic generation and the existing access and parking arrangements would be unaffected by the proposal, the proposal is therefore in accordance with Policies CT5 and CT6 of the Core Strategy.

#### 6. Personal circumstances

The extension would provide assisted living accommodation for the applicants' son who has a terminal illness and will require increasing levels of care. A number of letters of support have been received from the local community, as well as support received from the Parish Council, highlighting the need for the proposed extension given the situation the family are currently facing. Whilst Officers empathise fully and recognise the genuine need for the accommodation being sought and that the proposal would allow care to be provided for the applicant's son whilst remaining in the family home, unfortunately personal circumstances can only be given limited weight as material planning considerations in the determination of the application. As highlighted in appeal decisions by the Planning Inspectorate, personal circumstances seldom outweigh more general planning considerations, as it is likely that proposals would remain long after the current personal circumstances cease to be material.

Furthermore, Government's online Planning Practice Guidance explains how children's best interests are to be taken into account when determining planning applications. It states *"local authorities need to consider whether children's best interests are relevant to any planning issue under consideration. In doing so, they will want to ensure their approach is proportionate. They need to consider the case before them, and need to be mindful that the best interests of a particular child will not always outweigh other considerations including those that impact negatively on the environment or the wider community. This will include considering the scope to mitigate any potential harm through non-planning measures, for example through intervention or extra support for the family through social, health and education services"*.

In this case, it is considered that the level of resulting harm to the heritage asset is such that it is not outweighed by the weight given to issue of children's best interests. Given the reasons for the accommodation being sought, discussions are currently taking place between Officers and the applicants to explore whether any design solutions exist or options are available to provide the applicants with the type and level of accommodation being sought, in a manner which would address the design and heritage concerns. Members will be updated verbally at the meeting as to the outcome of such discussions.

**RECOMMENDATION: Refuse on the following grounds and any others as deemed necessary by the Head of Planning;**

- Detrimental effect on the setting of the designated heritage asset - the adjacent grade II listed building known as The Old Mill