

SHERINGHAM – PF/19/1490 – Change of use of land and existing building (comprising of garage/workshop/studio/store/garage) and extension to building to create a dwelling house; demolition of shed and construction of a garage with a WC; Benny’s Yard, Sadlers Lane, Sheringham, NR26 8HS for Mr Smith

Minor Development

Target Date: 30th November 2019

Case Officer: Mr J Cosgrove

Full Planning Permission

RELEVANT SITE CONSTRAINTS

Landscape Character Area

LDF – Tourism Asset Zone

Development within 60m of Class A road

Contaminated Land

LDF – Settlement Boundary

LDF – Residential Area

RELEVANT PLANNING HISTORY

PF/92/1185 – Alterations to Garage/Workshop – Approved: 06.10.1992

THE APPLICATION

The application is for the change of use of land and existing buildings, from Storage and Distribution (Class B8) to Residential (Class C3) use, along with the demolition of an existing shed and the extension of the existing workshop building to create a two-bedroom dwellinghouse; and the construction of a detached garage.

REASONS FOR REFERRAL TO COMMITTEE

Cllr C. Heinink has requested a committee decision because of the opposition and the points raised by consultees.

PARISH/TOWN COUNCIL

Sheringham Town Council objects on the grounds that the proposed development would be contrary to Policies EN4 and CT5 and would infringe on the neighbouring dwelling’s right to light.

REPRESENTATIONS

3 representations have been received - 2 objecting and 1 in support, summarised as follows:

Objections

- Over development
- Inadequate turning space within the site
- Access to/from Saddlers Lane would set a dangerous precedent
- Inappropriate size scale and density
- Proximity to roof terrace and bedroom window (*impact on view*)
- Boundary walls being attached (*Party Wall Act matter, not planning*)
- Loss of light and the impact on heating
- Anticipating a minimum of 4 vehicles (*this is not the case there is just a double garage and room for two cars outside*)
- Height of garage and car port effecting green views (*have been lowered in amended plans*)
- Opening of gates onto private property (*Removed from amended plans*)
- Dark Skies Impact/Light Pollution from roof lights
- Drainage systems inadequate

- Encourage crime by having a route through from Cromer Road to Saddlers Lane

Support

- Good design
- Highways Authority support
- Complies with Policy

CONSULTATIONS

Norfolk County Council (Highways): have a longstanding concerns with regard to the increased use of the narrow unmade track, as a residential unit is considered to generate 6 daily movements. To be acceptable they would need to be convinced that the proposal would not lead to increased vehicular use of the site compared to the existing use. The layout of the gates and parking effectively making one of the spaces redundant as originally proposed have been addressed through amended plans.

Environmental Health: No objection subject to asbestos informative.

Landscape Officer: the building has a lot of possible points for bats and in the absence of cobwebs on the holes there is the potential for a roost. A potential Roost Assessment is required prior to the determination of the application.

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 above matters, approval 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

National Planning Policy Framework (NPPF):

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 12 - Achieving well-designed places

Section 15 - Conserving and enhancing the natural environment

North Norfolk Core Strategy (Adopted September 2008):

SS1: Spatial Strategy for North Norfolk

SS3: Housing

SS12: Sheringham

HO1: Dwelling Mix and Type

EN2: Protection and Enhancement of Landscape and Settlement Character

EN4: Design

EN6: Sustainable Construction and Energy Efficiency

EN9: Biodiversity & Geology

EN13: Pollution and Hazard Prevention and Minimisation
CT5: Transport Impact of New Development
CT6: Parking Provision

North Norfolk Design Guide, Supplementary Planning Document (SPD) adopted 2008

MAIN ISSUES FOR CONSIDERATION

- Principle
- Design
- Amenity
- Biodiversity
- Highways, Access & Parking
- Environmental Considerations

APPRAISAL

Site Location and Description

The application site is a back land plot of approximately 181 square meters located to the rear of no. 18 Cromer Road, and was historically part of its curtilage. The site has an existing vehicular access onto Sadler's Lane and is served by a narrow pedestrian access onto Cromer Road. The site is somewhat overgrown and contains a two storey workshop and two single storey outbuildings. The current lawful use of the site is considered to fall within Class B8 - Storage and Distribution and there are no conditions restricting the use of the site within this class or restricting the number of vehicular movements to and from the site.

Principle of Development

Policy SS1 of the Core Strategy identifies Sheringham as a Secondary Settlement suitable for developments on a range of scales, while policy SS12 recognises that between 200 and 250 new homes which would not involve encroachment on the countryside should be built on previously unidentified sites in the existing built up area between 2001 and 2021. The site is within the settlement boundary and a designated residential area where policy SS 3 allows for appropriate residential development.

Paragraph 117 of the NPPF states that planning policies and decisions should promote the effective use of land in meeting the needs for homes and other uses and make as much use as possible of previously-developed or brownfield land. Paragraph 118 of the NPPF states that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and should promote and support the development of under-utilised land and buildings.

Having regard to the above, the proposed development is considered acceptable in principle subject to compliance with the other relevant Development Plan policies.

Layout and Design

Policy EN 4 of the Core Strategy and Section 12 of the revised NPPF requires that all development is designed to a high quality, has regard to the local context, and preserves or enhances the character or quality of the area in which the development would be located.

Sadler's Lane is characterised by a mix of architectural styles and dwelling types, with rear garaging and parking areas serving the dwellings fronting onto Cromer Road interspersed with a number of residential plots on the lane itself.

The application proposes the conversion and extension of an existing workshop served by an existing access on to the lane and the erection of a detached garage. The proposed dwelling would be two storeys and be constructed from a mix of solid facing brickwork, rendered brickwork and timber cladding, with a pan tile roof to match the existing. It is considered that the dwelling would integrate well with its surroundings and the proposed garage would be constructed from complimentary materials. The cumulative built footprint of the development would cover an area of approximately 71.4 square metres which would represent a coverage of just over 40% of the site. The remaining area would serve as a parking area and as private amenity space to serve the dwelling.

It is considered that the proposed development would represent a visual improvement over the existing buildings on the site and would not appear as an overly dominant or overbearing addition to the plot and would integrate well with its surroundings. Having regard to the above, subject to conditions restricting the development's permitted development rights for additions and alterations, and controlling the external materials to be used it is considered that the proposed development would comply with Policy EN4 of the Core strategy and Section 12 of the NPPF

Amenity

Policy EN 4 of the Core Strategy states that "proposals should not have a significantly detrimental effect on the residential amenity of nearby occupiers and new dwellings should provide acceptable residential amenity".

The proposed development is modest in size and scale and would not appear as overbearing or dominant when viewed from neighbouring properties, nor would it result in overlooking detrimental to the amenity of the occupants of any neighbouring properties.

Furthermore, sun path calculations were provided by the applicant which show that the proposed development would not result in an unacceptable loss of light or overshadowing of any neighbouring properties.

It is noted that objections were raised regarding the impact of the proposed development on the adjacent 'roof terrace'. This is however, not an authorised use of this roof space and does not benefit from railings or other features consistent with a roof terrace and is considered to only consist of a doorway accessing a flat roof. A reduction in the view from such an arrangement is not a material planning consideration which can be accorded any significant weight in the determination of the application.

Following discussions with the applicant and, in response to the objections received from the occupants of 2 neighbouring dwellings, the proposed development was amended to reduce the size of the garage, remove its lean-to element and ensure that its construction does not incorporate the rear boundary wall of no.18, although the structure remains immediately adjacent to the boundary. The proposed dwelling would provide an acceptable level of internal space and would benefit from an area of about 109 square metres of private amenity space, which would comply with the amenity criteria in the Design Guide SPD. Having regard to the above, it is not considered that the proposed development would have a sufficiently adverse impact on the amenity of any neighbouring properties to justify the refusal of planning permission. Officers consider the proposals could provide a good standard of amenity for the future occupiers proposed development is considered to comply with the provisions of Policy: EN4.

Biodiversity

Policy EN seeks to protect the District's biodiversity. The building has a number of potential access points for bats and in the absence of cob webs on the holes, there is potential for a roost. As a result, a preliminary roost assessment (PRA) is required.

A PRA is currently being arranged by the applicant. If further surveys are required these will need to be undertaken before the application can be determined, as currently the impact on protected species is not known. As a result, the recommendation below is subject to the completion of a Preliminary Roost Assessment and any subsequent surveys and recommendations that may be required, have been taken into account. If surveys are required the earliest these can be undertaken is in May.

Highways, Access & Parking

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The width of Sadler's Lane (which runs between A1062 Holway Road and Abbey Road) is inadequate to enable two-way traffic, and any intensification of vehicular traffic on Sadler's Lane is undesirable. However, there are currently no restrictions on the number of vehicle journeys to and from the site in connection with the existing use. The Highway Authority raised concerns regarding the potential increase in vehicle movements over the existing situation, and stated that they would expect residential use of the site to generate 6 movements daily. However, while the current use of the site may be of a low intensity and generating relatively few movements, the potential exists for operations within the B8 use class which could occupy the site, which would generate significantly more than six daily journeys and needs to be given some weight. As such it is considered that the proposed development would not result in harm to a degree that would justify refusal in this respect.

The site benefits from an established access onto Sadler's Lane which would be utilised to serve the proposed development. Following discussions with the applicant, the proposed gates were removed from the plans in order to ensure that the access is kept clear and serviceable, and, in the interest of highways safety, it is considered reasonable to impose a condition removing permitted development rights for the erection of gates. The proposed dwelling would have 2 off-street parking spaces including the garage, which complies with the council's adopted parking standards for a two-bedroom dwelling; and cycle parking would be provided within the garage.

Having regard to the above the proposed development is considered to comply with the provisions of Policies: CT5 and CT6.

Environmental Considerations

The Environmental Protection Team have not raised objections to the proposed development in relation to either noise or light pollution, and due to the scale of the proposed development and its location within a built up area, subject to a condition requiring submission and approval of details of any external lighting prior to the occupation of the proposed dwelling, and the fact that the existing workshop on the site incorporates roof lights, no objections are raised with regard to the proposed development's impact on dark skies.

Having regard to the above, the proposed development is considered to comply with the provisions of Policy: EN13.

RECOMMENDATION:

Subject to the completion of a Preliminary Roost Assessment together with any additional surveys incorporating their recommendations into the proposal, it is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any other considered necessary by the Head of Planning:

- Time limit for implementation
- Constructed in accordance with the approved plans

- Removal of permitted development rights for extensions and alterations to the dwelling, outbuildings and means of enclosure
- External materials to be approved
- External lighting to be agreed
- Garage restricted to incidental use
- Provision of on-site parking and turning
- Provision of highway visibility splays

Final wording of conditions to be delegated to the Head of Planning